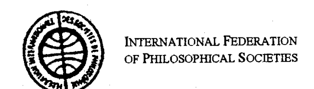
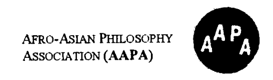
ENLIGHTENMENT AND HUMAN RIGHTS

EDITED BY
MONA ABOUSENNA


INTERNATIONAL FEDERATION OF PHILOSOPHICAL SOCIETIES

AFRO-ASIAN PHILOSOPHY ASSOCIATION (AAPA)


Goethe Institute
Cairo, 1998

Enlightenment and Human Rights

Sixth International Symposium
Organized by the Afro-Asian Philosophy Association (AAPA) as its Third Special International Conference under the auspices of the International Federation of Philosophical Societies (FISP) and within the UN World Decade of Cultural Development under the general theme "Ideas Underlying World Problems", and held respectively in Turkey (1990-1995), India (1996) and Cairo (1997)

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FOREWORD

On behalf of the Afro-Asian Philosophy Association (**AAPA**) I would like to inform you that the main objective of our association is to propagate the ideals of the Enlightenment throughout the Afro-Asian countries so that they may assimilate the achievements of the scientific-technological revolution. Thus, within this objective all our conferences rotate round Enlightenment as a pivotal concept facing the new problematics resulting from the second half of the twentieth century. One of these new problematics is the problematic of human rights.

Why?

To answer this question let me quote a paragraph from the conference call of participation. It runs as follows:

"It is assumed that the Enlightenment is against the illusion of possessing the absolute truth which, in turn, prohibits the dialogue with any other opposing truth. Consequently, freedom of thought is denied to anyone save the "Truthlords", thus leading to the denial of

practicing one of the basic human rights, namely, the right of expression irrespective of creed, sex or race."

If this is so, then the question is:

To what extent is it legitimate to let the "Truthlords", or strictly speaking, the fundamentalists, impose their absolute truth not only through threatening their opponents and accusing them of being heretic but also through annihilating them?

My answer is: to no extent, and as a proof of this tragic statement we have to mention the brutal events that happened at the Temple of Hatshepsut opposite Luxor on 17th November 1997; the massacres of 58 tourists and four Egyptians and the deadly explosions at U.S. embassies in Kenya and Tanzania in August 1998.

MOURAD WAHBA
Founder & Honorary President
Afro-Asian Philosophy Association (AAPA)

PREFACE

It is assumed that the Enlightenment is against dogmatism which, in turn, prohibits the acceptance of any other opposing truth. Consequently, freedom of thought is denied to anyone save the "Truthlords".

In the frontlines of the "Truthlords" stand the religious fundamentalists who could be labelled as the "Neo-dogmatists" who are not only satisfied with propagating their illusion of possessing the absolute truth, but try hard to force it on others by using violence and terrorism. Consequently, freedom of thought is in danger.

The pivotal question of this conference is:
-How far is it legitimate for the fundamentalists to assume the sole right of expression despite their denial of the same right to others?

Upon the answers to this crucial question relies the possibility of propagating a movement

of enlightenment at the close of the twentieth century and the beginning of the twenty first.

Editor
MONA ABOUSENNA
Secretary General
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Member, **FISP** Committee
on the World Decade of
Cultural Development

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The State, the States and Human Rights

Ioanna Kuçuradi (Turkey)

This is the sixth of the series of symposia organized by FISP, in collaboration with some of its member societies, on "Ideas Underlying Global or World Problems".

This series was conceived as a task of philosophy and, of course, of FISP, to make its own contribution to the so-called World Decade of Cultural Development, proclaimed by UNESCO in 1987 and with a few interrelated objectives: in order to trace, disclose and elucidate the principal ideas or conceptions, which -together with other determinants- have underlain practice during the past few decades and to evaluate them in connection with the ethical questions they gave birth to; to discuss possible ways of clarifying some of these ideas and of conceptualizing some others, keeping an eye on the problems faced at present; and thus contribute to a cognitively justifiable shaping of these ideas, and, where necessary, to the introduction of new ones, for the guidance of practice at the turn of the century.

The first symposium, held in Ankara in 1990, had focused on the "idea" of development which after the Second World War has marked the national policies of almost all countries of the world, by constituting their principal objective, though understood differently in the so-called developed and developing countries.

The point I tried to make in that symposium was that a clear concept of development, as well as the evaluation of many outcomes of the national policies, which had put the idea of development as their principal objective - both in the "developed" and "developing" countries- leads to the consideration that we have to give up this "idea", be it considered only as economic development or as economic development possessing also "a cultural dimension" etc. I gave there my reasons -including the epistemological ones of this unusual, even "dubious", contention.

The second symposium was held in Nairobi in 1991. It has focused on "the Idea of the State". Contrary to the debates on development carried out uninterruptedly during

past few decades, the question of the State had not been a popular issue, in spite of the fact that behind most of the global problems we face at present, and behind many of their anticipated solutions we find a given conception of the State: that of the "entity-State", as 1 call it.

This is also the conception of the State underlying political theory today: for example the widespread assumption that human rights aim at protecting the individual from the State, lies on such an "idea" of the State.

This is the reason why we need to scrutinize this very conception of the State, which appears to be shaped in theory only on empirical grounds, i.e. without philosophical knowledge.

The third and fourth symposia, which were held in 1993 and 1995 in Turkey (in Cappadocia and in Ankara) have focused respectively on "The Idea and the Documents of Human Rights" and on "Epistemological Problems of Norms: Rights and Human Rights". The fifth symposium of this series was

organized by Professor Bhuvan Chandel in Pune last year, and has focused on "The Idea of Secularization" that is at present a thorny question in many countries of the world.

Ours is the sixth symposium of this series, and the next one will be held next January in Ankara, on "The Idea of Democracy and its Problems on the Eve of the XXIst Century".

In this paper I shall present a version of the paper I read in Nairobi,[1] because I think that the problems it deals with have played an important role in the conception of this series on "Ideas Underlying Global Problems" and are related to our theme.

Thus I shall try to answer the following two questions: What are the States? And what is the State considered in the light of the idea of human rights?

States are legal-political units of sovereignty with reference to other similar political units. When we speak of the Republic of Turkey, the Republic of France, the Republic

of Benin, etc, we mean such political units. Such a political unit is established now, only when a considerable number of other such existing political units recognize it legally as an independent political unit, whatever its constitution or regime might be. As examples we can think, on the one hand, of the establishment of many African states in the seventies and, on the other hand, of the Central Asiatic Republics which have become independent states, after the dissolution of the Soviet Union. They are historical, juridical persons: they are established by a group, at a given historical moment, they continue to exist or come to an end in different ways, at another historical moment, after some years, decades, or centuries. As recent examples we can think of the German Democratic Republic and of the Union of Soviet Socialist Republics.

The State, on the other hand, is a human institution, consisting in the legal arrangement of social relations: within a group. It expresses a voluntary interference in and codification of the establishment of social relations or role of relations, which are established by themselves, i.e. in a natural way. When we speak of the

State, we mean not a political unit with reference to other political units, but a given arrangement of domestic -inner- affairs in such a unit. Epithets such as socialist, democratic, Islamic, etc. which we see qualifying some *States*, express the specificity of the arrangement of social relations or of the State in a given historical period.

Thus, we see that when a group gains its political independence from another group, i.e. when a new state is created, the first thing that people, in the present world do, is to draw up a constitution: they "constitute" the State, their State. We also see radical changes of structures, or of "constitutions", in one and the some state as a political unit. Bloodless revolutions and the changes we see in the eastern European counties and which are reflected in the dropping from their names the word "socialist", can be considered as such examples.

This inner structure or constitution of a state as a political unit, i.e. how the State is constituted within a state, constitutes the difference of state-types, which is a more fundamental difference than that of regimes, i.e.

of the systems of government and which also influences the function of the same regime in different countries.

The point on which I wish to draw your attention here, is the question of determinants in the legal arrangement of social relations, not of their administration - i.e. not the question of the State-organs- since the way of their administration is a part of this arrangement. Here, so far as I can see, we find a crucial point which needs scrutiny, both in theory and practice.

What are these determinants? Or, what determines the forming of legal instruments or positive law in general? In other words: From where are legal norms deduced?

Considered as a human achievement or human institution, i.e. considered together with its "what for?", law appears to express the wish not only to create an order in human society, but also an order of a reaction quality; to express the concern not to lose sight of *certain ethical principles* in the arrangement -the establishment and administration- of social relations; i.e. it

appears to express the will to interfere and arrange social relations in accordance with the *idea* of justice and not according to other determinants.

Still, when we look at legal instruments - including constitutions- we see, in general, only a faint reflection of this concern: we even see in many among them, arrangements reflecting conceptions which can hardly be reconciled with the idea of justice. In most of these arrangements, made at different levels, it is only expected that regulations and statutes be in accordance with laws, laws with constitutions etc.: but little attention is paid to the specificity of *the norms* on which these constitutions are based.

On the other hand, especially after the Second World War, we observed that the idea that (positive) law should be deduced from *ethical principles* gained ground in public opinion all over the world; and during the past few decades we even observed an increase in the *intention* and attempts to deduce legal norms from principles of human rights.

Still, when we read various constitutions keeping in mind this point, we are faced with the following strange fact: in many constitutions we find, indeed, articles or sentences expressing such ethical principles –or to use the term of our day, we find articles concerning human rights; but on the other hand, we also find, next to them, sometimes in the same article and even in the same paragraph, norms contradicting them, i.e. norms which -as we can easily see, provided that we possess sufficiently clear knowledge of what they demand - make, apriori impossible the determination or functioning of these ethical principles.

To make clearer what I mean, I shall give here an example, not from a given constitution, but from the *International Covenant on Civil and Political Rights*, which is supposed to be one of the international instruments securing common norms for the so-called international community -from its article 19, which we find incorporated, almost word by word, in various constitutions. This article of the *Covenant* states: "1. Everyone shall have the right to hold opinions without interference. 2. Everyone shall have the right to freedom of expression; this

right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless through any other media of his choice". Up to this point, this article of the *Covenant*, is almost the same as article 19 of the *Universal Declaration*. Yet in this *Covenant*, which is one of the two instruments prepared in view "to reinforce the juridical value" of the Universal Declaration - in view to make it more binding and functional -, a third paragraph is added, which sates the conditions, as well as the reasons, of the restrictability of the "rights" (or "freedoms") mentioned in the preceding two paragraphs:"[1] The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: a) for respect of the rights or reputation of others; b) for the protection of national security or of public order, or of public health or morals".

I leave here aside the various problematic points I see in this article -the lack of philosophical knowledge concerning the concepts of the terms used in it- and confine

myself to saying a few words on the last condition of restrictability of the rights mentioned in this article: the protection of "public morals".

The protection of "public morals", once affirmed as a condition of restrictability of a basic right, makes possible to consider juridically more important any cultural norm than a basic right, i.e. it makes possible the violation of basic rights in the name of a cultural norm. If from the term 'public morals' we understand various and mostly varying value judgements and rules of behaviour prevailing -or supposed to prevail- in the majority of a group[(2)]: to keep open the possibility of restricting legally or juridically a basic right in order to protect such a norm, amounts to considering a norm of restricted and transient validity more fundamental than a norm which demands a certain permanent treatment for every human being and to giving priority to a norm of empirical origin over a norm deduced, in given historical conditions, yet from the knowledge of the value of man (against a so-called "universal" norm). The restriction I mentioned seems to be based on the assumption that morals are

something necessarily "good": and reflect a value judgement, as well as a lack of philosophical knowledge concerning what 'moral' is.

All these keep the door open for those in power in various states to restrict human rights in order to protect group interests; to enforce laws recognizing rights that do harm to the basic rights of many citizens, and sometimes even of these citizens they are supposed to "benefit" from these rights; and in some other cases makes them abstain from changing the laws that do so. On the other hand, we also see in various states, groups accusing the State of violation of human rights, because of restrictions of certain desired liberties, which, in fact, do harm to the basic rights of those who wish to have them. And all these, in turn, reinforce the conception of the State as an entity in itself.

One main theoretical reason lying behind the facts I just mentioned, is, I dare say, the lack of epistemological distinctions between different kinds of norms, which allows law-makers to put side by side norms, which in practice exclude each other.

Thus, in various constitutions we see, at present, norms of different epistemic specificity, i.e. norms deduced from epistemically different premises, as well as of different ethical value, sometimes on the same issue, enforced in view to determine how a given social relation will he established in individual cases. But being enforced norms, all these are equally ascribed the same function. Because norms are thoughts made valid, in one or the other way, i.e. they are thoughts to which the necessity to be obeyed is ascribed. They are put in different fields, with the expectation that everyone concerned obeys them, whatever the content they demand might be. They are expected to fulfil mainly two different functions or to determine two quite different human activities: to determine individual and role behaviour, and to determine evaluation and judgement. Legal norms are principles and rules made valid, i.e. enforced by "due" procedure - a procedure which is also itself determined by law. Legal instruments of different levels are sets of norms, codifying the arrangement of social relations in a group. Among them, constitutions are legal texts codifying how social relations are established within a group, and how they must be

administrated, i.e. codifying *how the State is constituted in that given state*. They codify the principles and basic rules which should determine the establishment of social relations in that given group, as well as the administration of what is public. What makes them norms in this respect, is not their content, but the *necessity* ascribed to them as basic determinants of social relations and of the administration of what is public in that given country.

Such a necessity can, nevertheless, be ascribed, and it is in fact ascribed, following the "due" formal procedure, to any content, to any thought, independently of its epistemological and ethical specificities and its ethical implications.

Thus, when we look at the norms included in the constitutions of different states, from the viewpoints of their epistemological specificity as norm-propositions and of the ethical specificity of the content which they make determinant, we may distinguish two main kinds of norms which have totally different origins, i.e. which are deduced from

epistemologically quite different *premises*, and consequently have different ethical implications.

First, premises are deduced by induction. in given historical conditions, by the evaluation only of the *effects* they have *mostly* produced - of the benefit or harm they mostly (or often) caused, as determinants. These cultural norms of empirical origin, are closely related, beside the specificity of the historical conditions to *what* those who had deduced them consider as *their own benefit* or harm; consequently they are closely related to their world-view (*Welt Anschauung*) and their conception of man and of what is valuable. They have, at best, only a pragmatic-organizing function. Such, is the epistemic specificity of one kind of premises wherefrom legal norms are deduced.

Second, premises wherefrom legal norms of different scope are deduced: these are premises expressing principles deduced, in different historical conditions, from the *knowledge* of the value of the human being – i.e. from the knowledge of the specificity of *certain* ontical human potentialities. Put in a constitution they become themselves basic legal

norms, or serve as premises in the deduction of other constitutional-organizing principles of historically limited scope. An example of this latter kind of premises is human rights.

Such are – very briefly put - the specificities of the two kinds of norms we find enforced *on the same* issues in the constitutions of many states at present.

This fact appears to be -beside other philosophical, social and political factors- the epistemological reason we find at the origin of the discrepancy between what is intended and its outcome, that we observe in many constitutions today.

Many constitutions, just now, reflect the will to tame the entity-State; but they hardly reflect a change in the entity-State conception - a conception of *the* State, as a legal human institution, cut-off form its "what for?". We find in them human rights enumerated, still in view "to protect the individual from *the State*" as many champions of human rights say. By codifying in the constitutions principles that express -or are assumed to express- human

rights, these champions of human rights try to protect them from that "entity", which promises -as we see it worded in various constitutions- that it will be "respectful to human rights". Considered from the viewpoint of such a conception of the State, constitutions appear as contracts between such an entity -nobody knows where it dwells!- and its subjects.

This is a conception of *t h e* State shaped only empirically in the face of politics, deviated from their goal as a human activity.

Still, considered from an anthropological view-point *t h e State* appears to be an institution -a body of organs- established (i.e. constituted) in order to make law – i.e. the idea of justice or human rights - *d e t e r m in a n t* in historical *reality*: i.e. in order a) to transform social relations –rights-duties or role relations- established in this or that manner, into relations based on justice i.e. to transform them in a way that human rights can be protected, and b) to administrate what is public -i.e. what has to do with everyone and each one in a group- in accordance with the implications of human rights, their implications in those historical

given conditions.

Taking as starting point such a concept of the State, we can say that the constitutions are principal legal texts, formed in order to guarantee that an order which inevitable is to be established in a group, be not established at random, but in accordance with the implications of the idea of justice, i.e. so as that human rights can be protected in the existing real conditions.

Many enforced constitutions at present reflect, vaguely, this intention, but at the same time, quite obviously, the conception of the entity-State: we find in them principles expressing human rights, which are principles which constitute the content of the idea of justice in our age, i.e. which are principles expressing the conditions of the possibility for the individual to actualize certain human potentialities and to carry out activities which constitute what we call human dignity; but together with them we find norms deduced, directly or indirectly; from the conception of the entity-State, and which are much more "concrete" than the former norms. Just now many constitutions reflect a quest in the

transition from the conception of State as an entity in itself to the conception of the State based on human rights. But in reality the empirically deduced and more concrete norms play a greater role in the determination of social relation, and their administration; and the determination of human rights and of historical principles deduced from them (such as institutional autonomy, laicite. etc.) remain contingent. Thus these "entities" are not able to keep the word they give to their subjects.

But if we take as starting point the State as a legal human institution and the concept of human rights just mentioned: a constitution based on human rights would be a set of promises, *made by each citizen to all other citizens*, and put under guarantee, within a community of citizens: a document including a) the promises made by each citizens to all other citizens, that the social relations among the citizens will be so arranged *in reality* as the demands that human rights express be fulfilled, i.e. that these relations will be so arranged as to keep open *the possibility* for each citizen to actualize certain human potentialities; and including also b) the principal ways that make

possible in given historical conditions, the fulfillment of these promises.

Thus a constitution *b a s e d* on human rights would be a constitution that protects citizens *n o t* against "the State", but a constitution aiming at protecting the citizens against the citizens. Such a constitution would be a constitution which prevents some citizens from depriving some other citizens of the possibility to carry out - as much as each one can- certain human activities, which have produced in history products the blessings of which only some of us enjoy, and guarantees the requisites of the possibility of permanently creating the conditions that make possible the actualization of such potentialities. Public officers and state officers are citizens as well.

Such constitutions *c a n* be developed and even enforced. But in order that they do not remain in black and white, i.e. so that they can function more and more, the philosophical education of public officers, state officers and judges seems necessary.

At the turn of the century, the recent international developments have created a chance for us, which we should not miss; though we can not eliminate in practice -personal and political practice - interests, which inevitably clash with other interests, we can eliminate them, to a great extent, from our constitutions and international instruments. We can guide the quest we observe and help that the states which avow to be "respectful to human rights", become, just now at least in black and white, States *b a s e d* on human rights.

Notes

1. From the message of the Secretary General of the UN in "La charte internationale des droits de l'homme", published on the occasion of the 40th anniversary of the Universal Declaration of Human Rights.

2. For the meaning of the terms 'moral' and 'value judgements' see my "*Ahlak ve Kavramlari*" (Concepts of Morals). in *Uludag Konusmalart*, Ankara 1988, pp.20-36; and for that of 'the value of Man' my *Insan ve Degerleri* (Man and its Values), Istanbul 1971, p.57.

Human Rights and Enlightenment

Mourad Wahba (Egypt)

Immediately after the French Revolution two famous books were published. The first by Edmund Burke entitled: "Reflections on the Revolution in France" (1790) and the second by Thomas Paine entitled: "Rights of Man" (1791). These two books were a response to the kind of thinking which had produced the radical events in France at that time.

Burke's pivotal idea, in his book, rotates around his refusal of creativity being the result of the selfish temper and consequently the acceptance of the principle of hereditary as a sacred principle. In this sense, Burke declares that all the future generations of British subjects have no right to depose their monarchs, and hence are submitted to what he calls permanent reason. Accordingly, Burke states that though four hundred years have gone yet the English are not materially changed since that period thanks to the resistance against creativity for the sake of preserving the sluggishness of the national character. Then, he goes on to say that the

English are not the converts of Rousseau, nor the disciples of Voltaire, and Helvecius has not made progress among the English. And that is why they are against the so-called enlightened age. Moreover, the English feel inwardly that religion is the basis of the civil society and the source of good and all comfort. Accordingly, Burke's book became the Bible of an anti-enlightenment movement that spread afterwards and in particular beginning from the forties of this century. As a proof of this statement I draw your attention to an important book that was published in 1953 by Russell Kirk entitled: "The Conservative Mind" with a sub-title "From Burke to Eliot". His pivotal idea is that Burke is the founder of anti-Enlightenment. Then he states that Burke "looked upon reason as a feeble prop quite insufficient for most men; utility was for him a test only of means, not of end; and material satisfaction an aspiration grossly low. Consequently, the foundation of society is Burke's principle: obey the Divine design.

Contrary to Burke is Paine. In his book, mentioned before, Paine mockingly criticizes Burke from the first paragraph and from the first

line. He negates Burke's concept of the permanent reason and consequently negates the hereditary principle. He says: "There never did, there never will and there never can exist a parliament, or any description of men or any generation of men in any country, possessed of the right or the power of binding and controlling posterity to the end of time. Every age and generation must be as free to act for itself, in all cases, as the ages or generations which preceded it. The vanity and presumption of governing beyond the grave is the most ridiculous of all tyrannies. Man has no property in man; neither has any generation a property in the generations which are to follow"[(1)]

From the above text one can conclude that the property mentioned is the property of the so-called absolute truth. But the negation of this property is the core of Enlightenment. And if the property of the absolute truth leads, by its very nature, to dogmatism then Enlightenment is against dogmatism, or using Paine's paraphrase, against darkness. [(2)].

Now, contrasting Burke with Paine one could say they contradict each other concerning

the concept of human right. The first chooses the dead while the second is in favour of the living. Accordingly the dead become sacred and unfit to be interpreted whereas the living are secular and fit to interpret, in new ways, the human reality. Thus, we have to choose either the dead or the living. But this choice should be practiced with the two contradictory perspectives: dogmatism -and enlightenment.

For more clarification one has to deepen the concept of dogmatism. This term is derived from the Greek term 'dogma' which means opinion which is related more to practical obligations than to theoretical issues and therefore is derived from an external authority and not from logical rules and reasoning. And that is why the Philosophers despised the dogmatists because their dogmas came from outside and not from within. In this sense, Kant is right when he called the command of reason as imperative categorical and formulated it as follows: Act only on that maxim whereby thou canst, at the same time, will that it should become a universal law."

Now, we come to the crucial question: How can we handle tile concept of human rights within the perspective of dogmatism?

Or in another formula:

What is the viewpoint of the organizations of human right when facing the dogmatist?

I do think that within the previous perspective one has to revise the concept of human right, because the dogmatist falls into an illusion that he appropriates the absolute truth and consequently he has to defend it against any threat, in the sense that he accuses his opponent of being heretic and if the dogmatist is not satisfied with this accusation he decides to negate the opponent by killing him. Thus, the act of killing is inherent necessarily in the dogmatist's reason to the extent that it becomes an essential component. Consequently, the organization of human right should not equalize between a dogmatist and a non-dogmatist.

But how?

That is the question par excellence. It should be handled by a creative and not traditional jurist.

Notes

(1) Paine, Thomas, **Rights of Man**, Penguin, 1985, pp. 41-42.

(2) **Ibid.**, p. 45

Human Rights and Global Security: Enlightenment in the Cyber-Age

Mona Abousenna (Egypt)

At the close of the 20th century it is imperative for any community, given the dramatic global changes, to rethink and redefine the concept of human rights. At the core of the concept of human right, ever since its inception, has been the notion of security, implying - in the first place - national security.

The legacy of human rights started with the "Declaration of the Rights of Man and the Citizen" by the Assembly of France, which ushered the French Revolution.

Among the 17 articles of the Declaration, articles 2, 3, 10, 11 are of special importance due to their direct relevance to certain rising global phenomena which necessitate a revision of the very notion of human rights.

The articles read as follows:

II. The end of all political associations is the preservation of the natural and imperceptible rights of man; these rights are liberty, property, security, and resistance of oppression.

III. The nation is essentially the source of all sovereignty; nor can any INDIVIDUAL, or ANY BODY OF MEN, be entitled to any authority which is not expressly derived from it.

X. No man ought to be molested on account of his opinions not even on account of his religious opinions provided his approval of them does not disturb the public order established by the law.

XI. The unrestrained communication of thoughts and opinions, being one of the most precious rights of man, every citizen may speak, write, and publish freely, provided he is responsible for the abuse of this liberty in cases determined by the law. (1)

This Declaration clearly expressed a system of government shaped by the 1648 Peace

of Westphalia, which had concentrated the power solely in the hands of states, and which lasted until the 20th century.

However, the end of the Cold War brought about the termination of 1648 Peace of Westphalia. The absolutes of the Westphalian system, which consisted in territorially fixes states where everything of value lies within some state's borders; a single, secular authority governing each territory and representing it outside its borders; and no authority above states - are all dissolving now. The end of the Cold War did not only bring about a mere readjustment among states, but has resulted in a new and unprecedented redistribution of power among states, markets, or civil society. National governments are not simply losing autonomy in globalized economy, they are sharing powers - including political, social and security roles at the core of sovereignty - with a multitude of citizens, groups, known as non-governmental organizations (NGO)s. As a result of all these radical global changes, international standards of conduct are gradually beginning to override claims of national or regional singularity. Even the most powerful states find the marketplace

and international public opinion compelling them more often to follow a particular course. However, although the states central task of assuring security has been greatly affected, due to these radical global changes1 states are now facing non traditional threats, such as terrorism, organized crime, drug trafficking, ethnic conflict, and the combination of rapid population growth, environmental decline, and poverty that breeds economic stagnation, political instability, and, sometimes, state collapse. It has been recorded that the nearly 100 armed conflicts since the end of the Cold War have virtually been intrastate affairs, particularly in the Afro-Asian countries. (2)

These trends are testimony that individuals' security could not be derived from their nation's security anymore. The alternative notion of "human security" emerged superseding national or regional security and implying that security relied mainly upon the conditions of daily life, food, shelter, employment, health, public safely - rather than flowing down from a country's foreign relations and military strength.

The most powerful factor of change in the relative decline of states and the rise of nonstate actors is the computer and telecommunications revolution which have broken governments' monopoly on the collection and management of large amounts of information. One of the drastic consequences of the telecommunications revolution has been the elimination of national and regional borders. Fax machines, satellite hooks, and the Internet connect people across borders while separating them from natural and historical associations within nations. Through this powerful globalizing force, the power and authority of the nation have started to crumble resulting in political and social fragmentation by enabling a variety of identities and interests scattered around the globe to coalesce and thrive. In this way, article m of 187th Declaration of Rights of Man and the Citizen was negated through the globalizing force of telecommunications and was then dialectically superseded by the notion of global communities consisting of individuals, groups, and nonstate actors. [3]

The new technologies of the Cyber-Age have changed the traditional social structure by

radically changing the nature and role of the 6lites, who are no longer the rich but also citizens groups with transnational interests and identities that frequently have more in common with counterparts in other countries, whether industrialized or developing, than with countrymen.

Another result of the information technologies is the creation of global networks consisting of more people and groups arid giving them more power.

All these unprecedented global phenomena have resulted in three problematics: the first problematic engendered by the global networks through the interaction of collections of individuals or groups for different purposes, is that the masses, citizens, organizations, ethnic groups, and crime cartels have adopted the network model. On the other hand, governments and states are still based on an organizational form incompatible with all that the new technologies make possible.

The second problematic is in the domain of global economy, namely the forces shaping

the legitimate global economy are also nourishing globally integrated crime - which UN officials estimate at a $ 750 billion a year, $ 400 billion to $ 500 billion of that in narcotics, according to US Drug Enforcement Agency estimates. Privatization of government owned businesses, modern communications, rapidly shifting commercial alliances, and the emergence of global financial systems have all helped transform local drug operations into global enterprises. The largely unregulated multi-trillion dollar pool of money in supranational cyberspace, accessible by computer 24 hours a day, can solve the drug trade's toughest problem, namely, transforming huge reserves of dirty money into investments in legitimate business, known as money banding. (4)

Hence, globalized crime, has become a security threat that neither police nor the military, which are the state's traditional machinery, can meet.

A third problematic is represented by the twin phenomenon of global crime in economy, namely, international organization of religious

fundamentalism using violence and terrorist acts as a means of claims to political power not only locally, or regionally, but on a global scale.

In my opinion any solution to these three problematics must proceed from the perspective of global security that is capable to meet these global threats.

About globalized crime, Jessica Mathews suggests a security measure which consists in controlling it through the state's pooling of "their efforts and establishing a close cooperation with the private sector, thereby compromising two cherished sovereign roles." She then warns: "If states fail, if criminal groups can continue to take advantage of porous borders and transnational financial spaces while governments are limited to acting within their own territory, crime will have the winning edge." (5)

However, Mathews fails to identify the content of the efforts of the states within which they will cooperate with the private sector to combat global crime.

In my own opinion, the nature of the content of the required efforts is partly dictated by the technologized nature of the Cyber-Age, on one condition, namely that the current Cyber-Age be regarded as a second movement of Enlightenment, that is, as the historical outcome of the first movement of Enlightenment in the 18th century, bearing three major principles:

1. Rationality based on Kant's definition of Enlightenment as "Man's release from his self-incurred tutelage", and the famous saying which became the motto of the Enlightenment. "*Sapere Aude*" or have courage to use your own reason without reliance on the authority of another.

2. Scientific method as represented by the French philosophers or the Encyclopedists, Didecot, Codorcet, Helvetius, D'Alembert, Montesquie, who were the first to introduce the notion of universality in the sense of, surpassing national barriers, and this notion was the first kernel of the telecommunication revolution of the 20th century.

3. A new global declaration of human rights based on the first two principles which should be the binding frame of reference for the new declaration and which will be the new criterion for limiting tolerance towards any individual or group who violate these rights. Within this new perspective, the individual qua human being will be distinguished from the individual who pertains to terrorist groups who claim the possession of an "absolute right" which is not stipulated in the new global declaration and which they insist on enforcing on others. That is, the individual qua human being is distinct from the individual qua dogmatic terrorist, and hence will not be entitled to any of the new global human rights and will be declared as an enemy of humanity. As a result this individual or group will be banished from any natural and civil rights understood as equal rights held by every person. The reason is that hey are a threat to these human rights due to their dogmatism which makes then act on the false belief that they are the sole possessors of the absolute truth, thus

annihilating all basic human rights stipulated by articles 1, 10, 11 of the Enlightenment Declaration of Human Rights.

These rights are the rights to life, which protect individuals from arbitrary killing, the right to social security which is protected and supported by the society when in need because of age or infirmity. The right to freedom of conscience, belief, and speech which secure for the individual a domain of personal moral autonomy.

Within this new perspective, the notion of "global security" will replace that of "international security" seen as the sum of the particular security interests of states or their collective interests; for example in maintaining a global balance of power. Global security would take a similarly broad, systematic view of the range of security but without granting a privileged portion to the security interests of states A global security perspective would give special emphasis to supranational means of providing security to all members of the worldwide community of humankind.

Systematic human rights violation anywhere would thus become a legitimate security concern for everyone, and institutions of the international community would be expected to have a special role in assuring the enjoyment of globally recognized human rights.

Just as the global phenomenon of World War II which witnessed the Holocaust was a turning point in the history of modern civilization, particularly in the field of human rights, at the turn of this century global threats are equally compelling.

The first instance led to significant changes starting with the Nuremberg War Crime Trials which prosecuted individuals on the unprecedented charge of crimes against humanity. Consequently, the UN Charter explicitly listed human rights as a principal concern for the new organization. In 1946 the UN Commission of Human Rights Organization was established, in 1948 the UN General Assembly adopted the Universal Declaration of Human Rights. The International Human Rights Organization sought to give binding legal force

to the rights enumerated in the Universal Declaration and in 1976 they entered into force.

It is hoped that a similar process will take place regarding the drafting and eventual enforcement of the new Global Declaration of Human Rights which might ultimately help in eradicating the global phenomenon of terrorism before it leads the world to the brim of a third World War compared to which the Holocaust of World War II will appear as a minor crime.

References

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5. Jessica Mathews, **op. cit.**

enhancement of its own faith. Thus it amounts to the process of exclusionism of the "other" – which does not belong to it as an inherent part of its belief structure.

In order to facilitate this process of exclusionism it implicitly or explicitly subscribes to the theory of justification of the use of violence if deemed necessary. There is a lot of debate on the issue of the use of violence for social and political ends. The practical manifestation of secularism and fundamentalism may be gathered from what follows.

I

The concept of fundamentalism is not free from ambiguity. Therefore a word or two for the clarification of its true meaning is called for. One way of defining fundamentalism is to highlight the intolerance of human nature rooted in some or other uncritical commitment, - religious, ethical, racial, regional or ideological. Basically, fundamentalism is discriminatory in character. If humans are really rational, as we claim they indeed are, why there is fundamentalism at all? Is not fundamentalism a proclaimed enemy of rationalism?

Somewhere I recall Russell, unlike Aristotle, has defined human nature in terms of patience, not rationality. Man, says he, is the most "patient animal". Whether we take the Aristotelian view or the Russellian one, we face the same dilemma. If humans are very rational, i.e. can avoid the extremes in life, and follow the *ratio* between the extremes of life, - irrationality of the brute and perfect reason of God, why there should be anything like fundamentalism, full of discrimination and conflicts in society? If they are realty patient, how can they be so opposed to other views, other values, without being reasonably tolerant about them? In fact, it seems, human nature is ambiguous, it is neither completely rational nor is it infinitely patient. This frailty of human nature which gives rise to fundamentalism, needs to be tamed and effectively arrested, both in thought and action. Otherwise, our human heritage, including the human rights, would be at peril.

II

To make the point, stated above, clear, I think, we should look closely into the specific forms of fundamentalism. First, many countries of the world have been experiencing the baneful

effects of fundamentalism. Societies are deeply divided by dissension. Communities fall apart as splinter groups allegedly in the name of religion, which is said to be a binding force, both conceptually and etymologically become responsible for brutally cutting all types of human bonds. To be little more specific, Indians are not happy with their Indian identity and unity. In the name of communalism they are getting into the narrow ruts of Hinduism and /or Mohamadanism even after living together for more than a millennium. Hindus and Muslims, under the colonial rule, could not fight together even for freedom. First they quarreled between themselves and then ended up with a partitioned India. The situation got more tragic after the independence. Sectarian quarrel broke out between the people professing the same religion, and this new phenomenon has overtaken later on the people of Afghanistan, Algeria, and, in a lesser form, Egypt and Turkey. In each of these countries Muslims are fighting Muslims. The question that fuels and sustains this fight is very limited in character "who is pure Muslim? and "who is not so pure?"

This is not a new question witnessed by the Muslim countries only of today. In the Medieval Europe the Protestants and Catholics bitterly fought between themselves. The Protestants alleged that with the passage of time the Catholics became more and more conservative, intolerant and incapable to cope with the newly emerging issues of society and policy. The counter-allegations of Catholics against the Protestants had been that the latter, in the name of modernism, had been departing from the true teachings of Christianity. The debate could not be settled by glossing over the religious text and argument, they entered into open armed conflicts. In the name of God and for the sake of Christ, they found that the fight was their holy duty.

More serious religious intolerance and the resulting conflicts are evident from the history of Crusades. The Christian princes of Europe went or sailed all the way to West Asia to vindicate the cause of Christianity against the invading Muslim Arabs. Coming close to our times we have seen how the Jews have been persecuted by the Nazis in Europe. The Arab-Israel conflict in West Asia is another tragic

focus of religious intolerance. A similar tragedy has been witnessed in the break-up of the former Yugoslavia, in the Serbo-Bosnian conflict, to be more specific. Again it all happened in the name of religions, Christianity and Islam.

Fundamentalism is a blot on the modern history of humankind. We claim to be modern, rational and scientific, yet we are unable to resolve our difference in religious perception and conviction. What is worse, unable to resolve our differences by reason we enter into open hostility, resort to terrorism, resulting into the death of people, women and children, and enter into fratricidal war.

Religion is not the only face of fundamentalism. It has its other ramifications, ethnic and racial. For example, one recalls that the divide between the Blacks and Whites caused a full-fledged civil war in America in the last century. It may also be recalled that the civil war had its regional undercurrent. In the post-World War II Europe, to take another example, lot of Asian and African immigrants were allowed in European countries partly for meeting their manpower shortage and partly to

provide educational opportunities to the young men and women of the developing countries. After half a century one witnesses a new phenomenon, dislike, if not open hostility, towards the immigrants. The Blacks and the Browns are being subjected to increasing restrictions both in Europe and America. A streak of neo-Nazism is on the rise. While nobody questions a sovereign country's rights to frame its own immigration policies, the humanist in every country retains his fundamental right to raise his voice of protest against racial discrimination which touches substantially upon the issue of fundamental rights.

Another face of fundamentalism which deserves our attention and reflection is ideological. After the break of the former USSR, communism has ceased to be a welcome word in the ideological parlour. Most of us have forgotten the role of the country which fought so bravely with the Allies, US and UK, for democracy and against Fascism and Nazism. Most of the apologists of the capitalist and the developed countries are strongly opposed to the essentials of Marxian economy, its

egalitarianism and concern for the poor and the colonial people. The anti-fascist role and sacrifice of the USSR is now a forgotten chapter. Interestingly enough, China, despite its firm commitment to Marxian ideology and status of nuclear power, is a much-solicited market for the rich G-8 countries. What matters most in to-day's world is the market from the profit and investment points of view, not ideological ethics or commitment.

III

It is now for us to indicate briefly how fundamentalism is antithetical to human rights. It is so in very many ways. Establishment of human rights rests squarely on the recognition of the principles of reciprocity. Rights entail duties, realization of conflicts. In the name of God and for the sake of Christ, they found that the fight was their holy duty.

Rights are obviously of different types, economic, political, gender-based, community-based and so on. Needless to point out that the classification is neither exhaustive nor exclusive. Rights of the people of the poor countries are admittedly recognized in a way in the UN

Declaration on Human Rights (1948). It has been affirmed, among other things, that every person must have his minimum living space, every person should have the right to work, the right to be educated, and the right to health care. In principle, nobody is likely to contest the rationality and morality of these rights. But little scrutiny is required to show that most of the developing and least developing countries, particularly those with large population, find it financially impossible to secure these rights in practice for their people. If the poor countries, unable to grant these rights to these people, ask the necessary funds from the developed countries, as we know, they are refused. Here we find a glaring example of the non-compliance of the principles of equity and cooperation. It is not enough to recognize, in principle, these rights. What is primarily important is to ensure equitable distribution of the global resources for the purpose of universalization of these rights. One sadly and repeatedly observes the wide gap between profession and practice. For example, the signatories to the Human Rights Declaration (1948) will hardly agree to open up their domestic job markets to tale world population

taken as a whole. What is said from the UN and other global organizations are not given effect to in practice. As it has been pointed out earlier, this is clear from the immigration policy of the developed countries of Europe and America.

That the conditions for materialization of Human Rights are yet to be created may be shown from another point, that is ecological point of view. At the theoretical level, all the countries agree that due to modern technology, and industrialization, the planet has become a village and that it is our joint responsibility to save it, keep it green and livable. But what we see in practice? The basic Human Rights to have clean air potable water are not available to all. Because of over consumption of energy, high industrialization and green house-effects the ozone layer is thinning and the global water level rising, threatening human habitation in the low-lying areas of the world. Sadly enough, the goodwill and fund necessary to remedy the situation are not forthcoming either from the UN Agencies or from the rich countries.

What do we do under the circumstances? Our principles to create the conditions

necessary for realizing the human rights are genuinely ethical. But how do we go about the same in the face of the said negative conditions? Do we retreat from our principles? Or, still we remain committed to our principles and engaged in trying to make the necessary conditions!

The principles underlying the Human Rights are regulative arid not constitutive. These are ideals to be approximated. These Lofty ideals are not easily achievable. Simply because the principle of globalization of distributive justice is not readily available, we are not morally allowed to withdraw from the pursuit of the concerned principle.

Since fundamentalism tends to divide society, creates tension in it and weakens it, ways and means have to be found to contain it. The containing force which is most effective and durable in nature is not easily available and, even if available, its progress is slow. Every good thing moves slowly. "Good moves in snail's pace." This was one of the most favourite maxims of Gandhi. The threat posed by fundamentalism is so serious in its effect that it needs to be immediately contained.

The effect of intolerance is obviously very pernicious in all spheres of human life. It is doubly so in the sphere of religion. When the moral wisdom of ages, of great religious teachers was found relatively ineffective to remove the danger of fundamentalism, another and more effective approach was urgently needed. If the morality which is inherent in politics does not work and fails to yield the desired results, the power of politics had to be summoned to deliver the necessary goods. In other words, State intervention became necessary to contain fundamentalism. From the thinking public and the victims of fundamentalism arose the cry in favour of secularism. People from different walks of life, particularly constitutional experts and the law-making bodies, started emphasizing the desirability of separating the affairs of state from those of religion.

The rulers of the state had their own reasons to curtail the power of theological authority. Both in Asia and Europe appeared a movement in different forms which favoured the idea of separation between politics and religion. The reason is not far to seek. In many countries

the people professed different religions. The co-existence of different religious communities in a country does not prove always peaceful. To ensure harmony between them was not only a political imperative but also a moral one. Given intolerance, discrimination and religious hatred, this imperative could hardly be realized. Therefore, the enlightened public opinion veered round the view that state must not have any religion of its own. The moderate version of this thesis was: even if the rulers of the state are committed to a particular religion, that should not be imposed upon the subjects.

In the age of empire-building this issue assumed an added important character. The ruling country and its colonies could not be expected to belong to the fold of the same religion. The spread of Western Imperialism, in the wake of its growing maritime power, all over the world, mainly in African and Asian countries, where the peoples professed Islam, Hinduism, Buddhism and several other forms of religion, put the issue of secularism in a larger setting, when these non-Christian countries came under the rule of such European nations as England, France, Netherlands and Portugal,

together with the rulers; guns and troops, were dispatched the Christian Missionaries. The White Man's burden vis-à-vis the Black and Brown people went up enormously. They assumed the responsibility of ruling, educating, civilizing, modernizing, feeding and clothing these people. Additionally, the proselytizing zeal of the Christian Missionaries invaded the cultural citadels of the African and Asian peoples.

This is not to suggest that the teachings of Christianity had no appeal of their own. The political backing of the ruler lent an additional thrust to the appeal of Christianity. The political underpinning of religion is not peculiar to Christianity. Many other major religions expanded their frontiers more by the power of sword than by that of word. Perhaps, the only known historical exception is provided by the unarmed spread of Buddhism to different parts of Asia. It may be mentioned here that Hinduism does not believe at all in proselytization.

As said before, secularism demands separation between religion and politics. But what does it actually mean? Does it mean that

the state authority should be equally indifferent to all religion? Or, does it mean that it should be equally distant from all religious communities? Or, does it mean that the state as state must not have a religion of its own and, what is more, it should give equal protection to all religions whenever circumstances so demand. Unless secularism is positive, i.e. purports to promote the tolerance and peaceful life of every religious community, its utility shrinks and turns out to be negative.

The modern age, when we are so emphatic about the importance of human rights, we can not allow the religious and artistic aspects of a community life to be attacked and damaged by the forces of intolerance, discrimination and dogmatism. Secularism is the simple solitary pillar which can effectively support the structure of democracy, justice, culture and religious pluralism.

Human Rights and Tolerance

Hans Nicklas (Germany)

I wish to speak about four problems firstly, about the relation of human rights and tolerance. Secondly, about the origin of the idea of tolerance in European enlightenment. Thirdly, about the conditions needed for tolerance. Lastly, about the degree to which one may call on human rights and tolerance.

1- The idea of human rights ultimately rest on the inviolable dignity of human beings. This dignity of man is indivisible from the freedom of though and speech. Humans have naturally the gift of thought and speech. Their dignity rests on the free employment of these faculties. Therefore, the right of free speech is one of the most important human rights. And the right of free speech is based on tolerance.

By "tolerance" I mean the ability of one person to accept the fact that there is someone else with a different opinion. The word comes from Latin 'tolerance' (to suffer) 'tolerantia'

(acceptance), which has come via French 'tolérance' into English and German. The different customs, habits etc. in respect to faith, life-style, and religious, political or other beliefs."

Tolerance implies differing opinions. Only when someone else is of an opinion which I do not share I need to be tolerant. If the other person and me are of the same opinion tolerance is not necessary. Only the differing or divergent opinion necessitates tolerance. To be tolerant means to not sigh to suppress someone else's opinion though one finds it wrong or maybe even dangerous.

This reflection has been developed in the book "On Liberty" by John Stuart Mill. He stands up for unrestricted freedom of though and opinion because no one can ever be sure to have the one and only truth in his hands. Judging otherwise would imply that one is infallible: "All silencing of discussion is an assumption of infallibility" (Mill, 1962, 143). This holds true also when only one single person is of a different opinion: "If all mankind minus one were of one opinion, and only one person were

of the contrary opinion, mankind would be no more justified in silencing mankind" (Mill, 1962, 142). And it is equally true for opinions which are considered detrimental or dangerous. The differing opinion could, eventually prove true. Mill writes that if his arguments should have any kind of sense, "there ought to exist the fullest liberty of professing and discussing, as a matter of ethical conviction, any doctrine, however immoral it may be considered." (Mill, 1992, 141)

Mill reckons that loss which could be the result of the suppression of an uncomfortable, aberrant opinion higher than the damage done by the utterance of a detrimental or dangerous opinion. Truth depends on contradiction - the freedom of communication is the condition for the existence of truth. (Cf. Hellesnes, 1992, 189)

Mill firmly holds on to the universality of reason. He is not of the opinion that various truths exist pluralistically next to each other. But the truth of an opinion is not established before discourse in the context the "strangely forceless force of the better point in an argument" shows (14abermas, 1971, 137)

From this reasoning - through Mill does not make it explicit - the demand for the management of conflicts without using violence follows (cf. Hellesnes, 1992, 189). Freedom of speech in combination with tolerance are the condition for the solution of conflicts without violence.

Epistemologically, tolerance can be deduced from the fallibility of reason: as we can never be entirely sure that our opinion is the right one we have to tolerate other opinions. If to err is human then tolerance becomes a necessity. If all humans are fallible no one adhering to one opinion can declare this opinion to be infallible without denying his own humanity. Therefore, recognizing man's fallibility is the basis for political tolerance (cf. Sieger, 1965, 13)

2. Historically, the call for tolerance in respect to religious beliefs has originated after the religious wars in Europe. Tolerance traditionally means accepting religious beliefs which are not in line with the majority.

The development of tolerance in Europe was linked to the historical movement of enlightenment. The central concern of enlightenment was a critique of views which rested on tradition and authority in religious or political contexts. The critique was based on the autonomy of human reason and aimed at checking those traditional views and to revise or replace them in case they would be found faulty. In revision or replacement only argument of reason were permitted. Particularly religion became the object of examination through reason.

This examination is particularly hard for those religions which are based on a book. They rest on the belief that the holy books contain the word of god. Therefore, they have to claim their infallibility because their writing is the word of god and god is infallible.

The history of religion, however, shows that it is by no means certain what the word of god is. The word of god is given only in human language and human language is imperfect, fallible and subject to historical change. Therefore, it needs interpretation. In this way

any religion resting on a book for its belief faces the dilemma. Mill has described: which interpretation is correct? Can any one interpreter claim infallibility?

Lessing has tried to solve this dilemma in the parable of the ring, and proves the value of his ring by his own impeccable behaviour. To search for truth should be the aim of humanity, and not to claim that one has already found it.

In enlightenment, the fight for tolerance was combined with the fight against religious intolerance. Voltaire's *tractatus* on tolerance is, therefore, on the one hand the philosophical attempt to clarify the term "tolerance" and on the other hand it is an example for the struggle against religion which Voltaire is one of the sources of intolerance. (Voltaire 1763)

In modern secular societies this enlightened attitude has generally been adopted with view to religious groups. Religion does not have a claim to absolute dominance but has been reduced to the private sphere.

One of the basics of tolerance for enlightenment has been the division of state and church. People of different religious creeds can only live equally together when there is no privileged state-religion. The three monotheistic Religions - Judaism, Christianity and Islam - find it difficult to accept this. They all wish to permeate society and state and mould them according to their ideas. So, Israel feels a Jewish state and some Islamic states call themselves "Islamic republic".

In France, locoism is very much alive. In other European states like Great Britain and Germany one believes that one should be more generous in terms of locoism: so, it is possible there to display religious symbols like the cross or the veil of Muslim women in the public space like schools because one believes that his is required by tolerance. I am of a different opinion in this respect. I believe that religious symbols belong to the private sphere. In Hessia it used to be normal thing in the fifties that school started with Christian prayer. Some parents went to court against this custom. The court decided: a general prayer at school is not permissible. It is

an act against religious tolerance. Every child may pray at home.

3. The difficulty to act tolerantly becomes clear when we consider that foreigners, strange religions, strange cultures are seen in many societies as a threat to one's own social identity. When are people ready to suffer otherness and difference of opinion or even accept it? The readiness to duffer otherness seems to be a relatively late achievement of civilization. Only in few highly developed societies tolerance evolved as, a positive achievement. But even those societies have not always acted accordingly. Examples are the India of the Ashca, Islamic culture in the 9^{th} and 12^{th} century and Europe in the 16^{th} and 17^{th} century. Generally, however, the tendency seems to prevail that humans do not tolerate otherness in race, religion or culture of minorities. Also, tolerance- once achieved by a society - is not a natural property but it can always disappear again. So, Islam has in many countries not reached the level of religious tolerance it had achieved when it governed Spain.

Though there are in Europe and in areas of Buddhism examples of tolerance, Alexander Mischerlich is quite right in suggesting that "in large areas of our world there is not only no tolerance but there is not even a trace of it in history. Tolerance has never been there even as a possibility as long as man can think". (Mischerlich, 1983, 449)

To sum up: tolerance is a late and labour some achievement of human civilization, it is the result of a long process of cultural learning of individuals and societies- and it is always endangered.

4. One of the most difficult questions is that of the limits of tolerance. Does one have to be tolerant only towards those who are themselves tolerant? When Chomeini was in exile in Paris and fighting against the Shah he was asked how he would deal with tolerance and rights of women in the Islamic state he wanted to establish. Then he always insisted that there would be tolerance and women would have the same rights as any woman in Europe. After he had taken over, things looked very much

different. Though he had greatly profited from the tolerance of France when he was there, he felt no inclination to practice it in the Islamic Republic of Iran.

As a common phenomenon that intolerant groups call for tolerance in order to demolish tolerance. Almost all theoreticians of tolerance from Bayle to Milton, Lock, Voltaire or Rousseau are therefore of the opinion that tolerance may not be shown to intolerant people.

The problem is similar to that of democracy: is it legitimate for undemocratic groups to use democratic rights in order to gain the power to abolish democracy? Germany decided on the basis of the experience in the III Reich to establish a "democracy fit to fight". This means that the democratic constitution is not "neutral" in the sense that it opens up democratic possibilities to all ideologies - even those which are fundamentally undemocratic. The German constitution has a limit to tolerance: it is not permitted to use the means of liberal democracy to fight the constituting. According to this reasoning it cannot be possible for liberal-constitutional democracy that it

permits the conditions to its own abolition and thus legalizes potentially its own suicide." (Leibholz, 1966)

Perhaps one should speak in analogy to a "democracy fit to fight" of "a tolerance fit to fight"-- like Voltaire did. Voltaire fights in his *Tract on Tolerance* against religious fanaticism which has no right to tolerance because it does not offer tolerance itself (Voltaire 1763).

But here arise a difficult problem. The demand for mutuality, for reciprocity may spoil what is specific to tolerance. To give tolerance only where tolerance is offered may just not be very tolerant. To define oneself what is to be tolerated isn't really tolerant towards the person asking for tolerance.

John Rawls discusses this problem in his theory of justice. Intolerant groups have according to him, no right to claim tolerance. A person has only the right to see his fights violated when he himself recognizes these rights. (Rawls, 1979, 247)

Tolerance must not be a one-way street. Those who ask for tolerance for their religion or opinion must be ready to tolerate other religions and opinions. Anyone not complying with this ends up in a performative self-contradiction.

At what point of the development does one have to fight tolerance? Rawls sees this point only reached when the liberal constitution of a society is endangered: "As long as the constitution is not endangered, there is no reason to keep back tolerance" (Rawls, 1979, 249). This opinion could be countered by Ovid's *pricipiis obsta* --catch it the beginning.

The right of free speech as one of the fundamental human rights needs to be defended by all means. It is one of the greatest goods which has to be saved from the intolerance fanaticism and religious fundamentalism growing worldwide.

The "Risked Being" and the "Risk of Freedom" - the Enlightenment of Man and the Struggle of Human Rights

Friedrich Schorlemmer (Germany)

He who thinks about "enlightenment and human rights, must recall thousands of years of history of oppression and crime. He must also recall the multiple movements towards freedom first forged in the minds of people leading then to resolutions. Included hereto are prophets and philosophers, as well as courageous leaders and reform groups from among different nations.

Civil and religious freedom as written down in the individual constitutions about human rights were first formulated in modern times by Jefferson on June 12, 1776..

"Article 1: All people are by nature equally free and independent and own certain rights, of which they cannot deprive their successors, when they have taken the form of a society. These rights are to be able to enjoy life and freedom as well as to have the possibility of

having his own property, and to feel happy and secure.

Article 16:

> Religion or the obligation, which we own to our creator, and how we fulfill it, can be directed by means of reason and conviction, and not by means of force or violence; and therefore all people have the same claim for free practice of religion according to the commandments of their conscious; it is a mutual task of all to practice, Christian patience, love and kindness towards each other."

This reveals, how tight general socio-political issues, i.e. property, religion etc... are related to each other, so that human rights can only be viewed and fulfilled together with human duties. Maybe, we can say that the universally conclusive and approved formula on human rights is: "Treat others as you expect them to treat you."

Human fights are based on the life needs of each individual, who can keep-up and shape his life in a significant manner, only then, when

he respects the fight of others to live in the same way as he does.

The actual "ringing" word lies in the word "all people". This stems from the principle of equality among people, independent of sex, race, class, religion and social status. Human rights are based on the respect of each individual without being bound to the community. This fact grants him freedom, and at the same time restricts him by the existence and interests of others. General human rights are an issue of insight and not force. Therefore, "enlightenment and human rights" are related to the individual as a citizen to participate in decision-making. This requires in the first place maturity and absence of authoritative subordination.

The declaration of the Rights of Man as Citizens of August 26, 1789 has formulated it even more sharply, when issued by the French National Assembly: "After representatives of the national.... have considered that ignorance, or disrespect of human rights are the only reasons of public misery and corruption of governments, they have decided, to lay down in a solemn statement the natural and scared human rights,

so that this statement is always present to the members of society, and would always remind them of their rights and obligations...."

This cannot be enforced by state violence, because it would fundamentally contradict human rights. The achievement of "good" often only leads to "the evil" and destroys finally by means of "the good", those who claim "truth" for themselves, and which result in destruction of "the good" and "the true".

Article 9 of the statement of 1789 says:

> "Humans are born equal and free as regards their rights, and remain so. And social difference can only be based on mutual profit.

Article 4:

> "Freedom consists in the fact of being able to do whatever you can do which does not harm others."

The question remains open, namely according by which authority could or should these laws gain their validity. The answer of the French Revolution is: According to "people

themselves." But how are people represented? How does creation of will take place? How do truth and majority agree together? Which role should the leaders play (being charismas) representatives, who join together and motivate? How can the individual authority be kept under control? How is it possible to guarantee that within this constellation human rights remain as one authority, which is not to be eliminated by a majority or constellation of Authority *tyranny of an individual)? Here, we are directly confronted with the religious question about the unfounded ethic norms. It is obvious that also the religious grounds of human rights are also based on a belief" as well as on certain values, which have their origin in historical experience. This is quite obvious in a certain way, when the, "Universal Declaration of human rights" was announced on December 10, 1948. This statement was a reaction of the civilized Western World to the massacres of the Nazi genocide mania.

"....since misunderstanding and disrespect of human rights can lead to acts of barbarism, which have deeply wounded the conscious of humanity....since people of the United Nations

have newly strengthened and decided upon their belief in basic human rights, their belief in the dignity and value of the human being...." Also this preamble reveals, that human rights also include human duties. Even in article 9 this cannot be overseen - but still it is often overseen: "All people are born free and equal as regards their dignity and rights. Reason and conscience are their gifts and should meet each other in the sense of brotherhood." Human reason needs also a court, which lies within each person's reach, in his capability to make decisions, namely in his conscience. This gift leads him to fulfil his duty in a brotherly manner. Thus, in October 1997 a respectable number of ex-Government leaders and presidents of the World have issued a "Universal Statement of Human Duties", because the claim for fights includes also certain duties. They try to tie freedom and responsibility together, namely the duty to **act** humanly, to support the dignity of others, support "the good" and **avoid** the evil, to respect life, to act in a peaceful manner, to be willing to protect fundamentals of life in order to protect the coming generations, freedom to guarantee security and justice, to give assistance to all victims, to say only the

truth, to avoid everything, which disrespects people, hatred fanaticism, to believe in or legitimize wars based on belief, but to support tolerance and respect of all human beings, not to abuse anyone, misuse or mistreat anyone. He who gives can take; he who takes must also give? This experiment of politicians, to think about public morals, and to issue a joint comment, is the trial reaching double freedom: freedom of incapacitation, disregard and oppression in societies, in which individuals are living. It is to be reminded of those rights of each man and each woman, which cannot be expressed. But this can only be maintained, when the tasks arising hereof are perceived in the same way. There is not freedom without responsibility.

The question which is still open and disputable is whether "Human Rights" put as a supposition, that different cultures can respect a universal code of Human Rights, and whether there is "human property" within these religious, social, and historic differences that can be compared together. Is there an ethical basis for flourishing companionship of the human family under conditions of globalization? This question

should not remain open because of our surviving.

On the other hand and according to experience one question remains open namely whether human beings are capable to practice their freedom and how they deal with self-menace.

Is man capable of dealing with freedom?

A fantastic story says that Jesus Christ came back, in Spain, for inquisition on earth, masses of those being slaved by the ruler have recognized him and of those who were arrested by the ruler foreign heretics. During the night before his execution the chief inquisitor tries to explain to him why his religion which preaches freedom, love and maturity can only lead to mischief... He wishes Jesus Christ, to go back to heaven. So that he can further practice his force here on earth.

"Man, the pic", writes the lyric, cynic physician Gottfried Benn. "Man must either be the image of God or Satan. Because he resembles the one he follows", as the German

reformer Martin Luther writes, knowing that "Man in conflict", actually recognizes, what is good and what is bad, but does not follow "the good" out of his own will. He experiences a contradicting "Law" between "Wanting" and "Doing" (Roman Letter, Chapter 7) His ego orientation finds collective expression, in the (Authority) of one person over the other. Incapability to deal with freedom only leads to confusion in search of a new security, i.e. fundamentalism which bears many features of mania and even more when social conflicts are added. Western liberalism with its one-sided materialistic alignment and its mental hollowness is one of the causes of fundamentalism, which goes back to the enlightened States." What is the reason that "the West" is so sure of itself and takes the position of a moral preacher?

By those, "great Words" of liberation of the individual, which he keeps repeating to himself, the enlightenment started in Europe. This was the reaction of the authoritarian regimes which war formed as an important factor of stabilization after the 30-year war. "Have courage, to use your own reason without

the guidance of another. Several decades hereafter Karl Marx has put his slogan aside and came up with his revolutionary dictum, to subvert all conditions, according to which man becomes degraded, slaved, and deserted being." Marx call this "Categoric Imperative", which he drives from criticism of religion, because he thinks that man is "the highest being. Here it is revealed that the individual and social Human rights pertain to each other just as the issue of the image of man is related to religion; i.e. embodiment of man.

Is this all of the European oriented thought? Do Europeans and Americans try to transfer their own image to other cultures and religions imprints just as expansive as they have done with their style of living and their instrumental reason, globally? And does the introduction of human rights to each culture require a phase of enlightenment and the revolt against all institutions of Authority and their religious legitimacy, in order to reach finally either enlightened atheism or enlightened belief?

Enlightenment and Human Future

James Birx (USA)

The relationship between values and evolution is a very important one for our species. In science, the brute fact of biological evolution is indisputable in terms of the overwhelming empirical evidence to support the mutability of species throughout organic history. In philosophy, however, ethics remains an area for critical reflection because it is not so clear as to how human beings ought to behave and why their conduct should be evaluated as moral or not. Nevertheless, the fact of evolution and the need for ethics or values is beyond doubt, and a biosocial relationship between our species and other life forms (especially the three great apes) clearly exists whether scientists or philosophers or theologians want to admit it or not. This relationship exists because, put simply, our species as the evaluating animal is a product of, dependent upon, and totally within organic evolution. Furthermore, the needs and desires of our species emerge within a cultural context that is immersed within biosocial history. Therefore, it behooves us to examine human values in

terms of the adaptation, survival and fulfillment of our species on this dynamic planet.

In the world of human behavior, several distinctions are required: ethical principles, moral decisions, and value judgments. An ethical principle provides a framework for evaluating human behavior as moral conduct or not. But moral conduct above and beyond human behavior inevitably involves value judgments as to what behavior is (or is not) acceptable at a particular time in a particular place within a particular socio-cultural framework. However, going beyond the challenge of deriving an ethical principle for all peoples for all times, the rigorous evolutionist is concerned with human values within a global perspective and pragmatic framework. There are, of course, biological values as well as psychological values and social values. For some evolutionists, religious values as such need to be critically examined within the socio-cultural development of our species. As such, some values will be determined to be true or important while other values will be considered to be false or unimportant within the ongoing

quest for human knowledge, excellence and wisdom.

For the critical thinker, the scientific writings of Charles Darwin (1809-1882) are all-important because they established the idea of evolution already in natural philosophy, as a theoretical framework grounded in empirical evidence and rational argument. Darwin himself was disturbed by the far-reaching implications and disquieting consequences of his naturalistic theory of organic evolution, especially as they pertain to the place our human species occupies within earth history. Of course, one must make a crucial distinction between the fact of evolution on the one hand and the range of interpretations of evolution in the serious literature. Darwin was a steadfast mechanist and materialist, with the explanatory principle being natural selection; his interpretation of biological evolution being grounded in a materialistic stance that gave no credence to religious beliefs or theological assumptions about nature itself. Teleology, essentialism, and anthropocentrism were rejected. Surely, it was disturbing to the great naturalist that the fact of evolution had discredited the entrenched Aristotelian/

Thomistic worldview, which maintained that the human being is both separated from and unique within the natural world. In sharp contrast, a thoroughgoing evolutionist must admit that the human animal represents just one more species (among countless millions) in the ongoing evolution of life on earth. Consequently, human characteristics are a product of organic evolution; whether the characteristic be bipedality, tool-making, rational thought or evaluations concerning social behavior.

In fact, when reflecting upon all of the species, Darwin maintained that that characteristic which does distinguish (but not separate) the human being from all other animals, including the pongids, is its moral dimension. Furthermore, since all other characteristics are derived from our apelike ancestors, e.g., feelings and emotions and reason itself, then it seems only reasonable to assume that the moral aspect of our species also had its origin in fossil apes and subsequently emerged in human forms throughout several million years. Therefore, one may speak of the evolution of a propensity for and the actualization of morality within the history of our species.

During the Pre-Socratic Age (600-400 B.C.E.), the first philosophers as naturalistic cosmologists speculated on the universe. They offered rational explanations for the world as a result of critically reflecting upon their experiences within nature. Several thinkers even anticipated the evolutionary framework, e.g., Thales, Anaximander, Heraclitus, Xenophanes and Empedocles. But their rational speculations on the universe did not include value judgments concerning human behavior.

Following the Pre-Socratic Age, Socrates as the "gadfly of Athens" focused his attention on the human being in terms of ethics; thereby he removed himself from the cosmological speculations of those philosophers that came before him. He was concerned about deriving definitions for goodness and justice in order to determine what behavior is right or wrong (good or bad). Essentially, the Socratic dialogue was an attempt to clarify questions concerning ethics and morals, but no final ethical principle or moral framework was forthcoming from such critical discussions concerning social conduct.

At the Academy, Plato (427-347 B.C.E.) was concerned with both cosmological questions and ethical inquiry. Mathematically-oriented, he did present a worldview which, unfortunately, gave priority to all assumed transcendent world in which (he maintained) the eternally fixed ideas, perfect Forms and Goodness itself reside separated from the fleeting and imperfect objects of this natural world. For Plato, there is a sharp separation between the immanent world of appearances and the transcendent realm of reality. As such, the Platonic worldview is grounded in philosophical idealism and the ultimate goal of the human being is to strive for Goodness itself. Within Plato's framework, the transcendent world of reality is held to be more valuable than the natural world of appearances. Goodness is never totally achieved while one is living in this material world. Consequently, one can only strive for the elusive Goodness which (for Plato) can only be glimpsed imperfectly by the mathematically-inclined philosopher king.

Closer to a naturalistic ethics is the dynamic philosophy of Aristotle (384-322 B.C.E.), who represented a return to nature itself; although he maintained that the ultimate

object in reality is the Unmoved Mover as the ideal goal of all objects within the terrestrial and celestial realms. For Aristotle, the universe is finite, spherical and closed; this cosmos is both geostatic and geocentric, with our species living on the most imperfect objet in all existence. Furthermore, the father of biology maintained that nature represents a great chain of being (from minerals to stars) consisting of a continuum of eternally fixed types or kinds or forms of life and celestial objects. As such, the Stagirite maintained that species are eternally fixed in nature and, as a result, he never anticipated an evolutionary interpretation of life forms on this planet.

In the field of ethics, Aristotle took a practical stance by maintaining that each individual should strive for moderation in his behavior in general, while aiming toward intellectual excellence in particular (reflection is the highest good). Just as there is an alleged order in the celestial realm, there should be harmony in society. Self-fulfillment in the social individual is an example of excellence in human life. Therefore, Aristotle valued friendship above selfish motives. Of course, neither Plato

nor Aristotle could account for the origin and history of our species in terms of organic evolution. Even for the biologically-oriented Aristotle, the idea that one species could evolve into a new species was an anathema to him, since fixity was clearly valued over change; change was considered to be something imperfect and undesirable within his philosophical framework.

Following the Dark Ages, theologians during the Medieval Period concerned themselves with religious beliefs about God, freewill, the personal immortality of the human soul, and a divine destiny for ethical individuals in the eyes of the Roman Catholic Church (which saw the human being as both separated from but unique in nature). Represented best by the writings of Thomas Aquinas (1225-1274), Catholicism taught that the human being is divinely created by a personal God with an immortal soul contaminated by Original Sin due to the disobedience of Eve and Adam. Clearly, there are both Platonic and Aristotelian elements in the teachings of Christianity, which also did not anticipate an evolutionary account for the origin and history for our species. For the trite

believer, the human being is closer to a "fallen angel" than to an emerged ape in organic history. It is not surprising, then, that the introduction of scientific evolution and a naturalistic worldview in Western intellectual thought would require overcoming both the entrenched Aristotelian philosophy and dogmatic Thomistic theology; certainly no easy task for any one Scientist or philosopher to accomplish considering both the will to believe and he desire to be disillusioned that are so pervasive throughout Western civilization.

During the Italian Renaissance, the great philosopher Giordano Bruno (1548-1600) offered a truly cosmic perspective. He boldly argued that reality consists of an infinite number of island universes; therefore, there are an infinite number of stars and an infinite number of planets (with life forms and intelligent beings inhabiting other worlds). In doing so, Bruno had destroyed the Aristotelian separation of the celestial realm from the terrestrial world, giving a pervasive unity to nature in terms of laws and elements; the centrality of this earth in general and the uniqueness of our species in particular

were overthrown by the Brunian framework grounded in an acentric cosmology.

For Bruno, there are no absolutes in this interpretation of the universe: there is no absolute right or wrong, no absolute good or bad. Consequently, the infinity-intoxicated philosopher envisioned God as the cosmos itself and maintained that the human being is merely a fleeting fragment within this dynamic reality. Clearly, his bold ideas challenged both the Church and State of his time. As a result, Bruno was both tortured and burned alive at the stake in the year 1600 for his heretical views concerning nature and our place within it. In fact, it may be argued that he actually paved the way for a modern cosmology which recognizes the insignificant place our species actually occupies within an eternal, infinite and endlessly changing universe (despite the false claims of the anthropic principle in the present literature).

During the Age of Enlightenment, several philosophers returned to the study of nature and they called for the scientific and rational investigation of the human being as a product of organic history and socio-cultural development.

These critical thinkers gave priority to science and reason over the entrenched religious faith and theological dogma of their time. It is not surprising that these philosophers were denounced by both the Church and State, with many of them fleeing France in order to save their lives from religious fanaticism and theological superstition.

Focusing on ethics, the enlightened German thinker Immanuel Kant (1724-1804) presented an ethical frame of reference that challenged traditional ideas, to some degree, and thereby paved the way for modem naturalism and humanism. Rightly so, Kant was critical of previous ethical systems with their claims to religious certainty. Instead, he made a crucial separation between experience and reality. This dualistic approach maintained that the human being is limited in knowing through science and reason, since reality is above and beyond human experience as such. This dualistic approach allowed Kant to argue that the limitations of reason left room for beliefs in terms of establishing an ethical principle above and beyond science. He called this ethical principle the categorical imperative. Primarily concerned

with moral conduct in terms of duty rather than inclination, Kant held that one ought to act only in such a way as to will his or her act to be a universal law; as such, a human being ought to be treated as an end in itself, never as a means to an end.

According to Kant, ethical certainty cannot be derived from human experience. To justify his categorical imperative, he maintained (as a cryptic theologian) that the transcendental ideas of God, freewill and immortality are necessary for any judgment of morality. Nevertheless, one's actions are not moral unless they are done only in light of the categorical imperative itself and not for any future reward. Thus, Kant isolated moral actions from any consideration of feelings or emotions or situations in order to give his moral maxim the absolute certainty he desired. As far as evolution goes, Kant rejected the idea outright and clouded the origin of our species in an apparently religious account for the sudden appearance of human beings on the earth. Ultimately, his motive was to establish a moral framework of certainty free from the empirical sciences and human experience.

Following Kant, the German philosopher Georg Wilhelm Friedrich Hegel (1770-1831) took social history seriously. He saw God, or the history of social development, as endless progress toward an ideal goal; the movement of human society toward freedom, unity and reason. At least Hegel was a process philosopher, although he held to the eternal fixity of nature in terms of ideas. Therefore, he never concerned himself with prehistory and did not anticipate in evolutionary framework in terms of life on earth.

It was the German philosopher Ludwig Feuerbach (1804-1872) who turned away from theology and idealism in favor of a philosophical anthropology, i.e., a scientific and rational study of our species in terms of a cosmic prospective and the evolutionary framework. It is to Feuerbach's lasting credit that he challenged Christianity in favor of science and reason. Like the naturalists Lamarck and Chambers, Feuerbach had written about the evolution of our species. Unfortunately, he lacked the empirical evidence and an explanatory mechanism to secure evolution as a viable theory in the natural sciences.

In the middle of the nineteenth century, it was Charles Darwin who, through his pivotal writings, established organic evolution as a scientific theory. Having been influenced by his voyage on HMS *Beagle* (1831-1836) as well as Lyell's geological perspective and the population theory of Malthus, Darwin was able to bring together facts and concepts into a comprehensive and intelligible explanation for the history of life on earth in terms of the mutability of species. In his major work, **On the Origin of Species** (1859), Darwin argued for a mechanistic and materialistic interpretation of the history of life forms on this planet primarily in terms of natural selection. Interestingly enough, he deliberately left out any consideration of the human animal in his **Origin** book, which was devoted mainly to defending the scientific theory of organic evolution; the evolution theory would be controversial enough, he correctly thought, without introducing humankind into its heretical framework.

Nevertheless, Thomas Huxley in England and Ernst Haeckel in Germany defended Darwinian evolution in terms of comparative morphology and comparative embryology,

respectively (as well as the growing fossil record). First Huxley and then Haeckel supported the pithecometra hypothesis: the human animal differs merely in degree rather than in kind from the three great apes; there being no new structure or function in our species that does not already exist to some degree in the orangutan of Asia as well as the chimpanzee and gorilla of Africa. This idea had awesome ramifications for ethical principles, moral decisions and value judgments. It clearly suggested that all aspects of the human animal are derived from our prehistoric ancestors. Therefore, one may maintain that even morality has emerged throughout human evolution, with our species having split from the fossil apes about six million years ago. No doubt, this was a hard idea for the Victorian mind to swallow. An important exception was Herbert Spencer (l820-I903), who extended the so-called law of evolution (as he saw it) to include even the ethical history of our own species.

As the empirical evidence for organic evolution increased, Darwin became more confident and wrote **The Descent of Man** (1371). Having been anticipated by both Huxley

and Haeckel, Darwin himself now maintained that our species is, in fact, closest to the great apes with which it shares a common ancestor that would be found in Africa (the birthplace of the fossil hominids). Darwin also agreed that the human animal differs merely in degree rather than in kind from the three pongids. But if our species is both biologically, socially and psychologically related to the great apes, then what are the implications of this scientific fact of primate evolution for ethics, morals and values?

Influenced by Darwinian evolution, the German philosopher Friedrich Nietzsche (1844-1900) accepted the far-reaching consequences of the evolutionary framework. In fact, the bold iconoclast maintained that "God is dead" since the belief in a personal and transcendent God no longer has any truth value for human civilization; this is because the religious idea does not (and never did) have a metaphysical correlate in objective reality. For Nietzsche, God is merely a concept which does not relate to any object outside of the human imagination. More importantly for us, Nietzsche called for a rigorous reevaluation of all values. As such, the ideas and beliefs and values and institutions of

modern civilization were critically analyzed by Nietzsche, and his genius found all of them to be false.

For Nietzsche, nature is the will to power, and the human animal is merely a temporary bridge between the ape that came before it and the future overman that will eventually emerge as a result of further development in terms of intellect and values beyond the "human, all too human" and "beyond good and evil" (as he put it). As a result, Nietzsche was an elitist with little concern for compassion and certainly no interest in democracy.

Ultimately, Nietzsche claimed that this universe is the eternal recurrence of an identical series of events, and that each finite cosmic cycle will repeat itself over and over throughout all time. Therefore, each human choice is one made for all eternity! Ultimately, Nietzsche valued existence in general and the creative human being in particular. In the last analysis, the superior individual creates his own values. One may maintain that Nietzsche was a rigorous naturalist, giving no credence to theological assumptions as far as cosmology and ethics are

concerned. All values are the product of human beings reflecting upon experience within dynamic nature. As such, certainty could only be found in the finite value of each moment in terms of the eternal recurrence of the same events within cyclical reality.

The evolutionary framework challenged traditional ethics and morals and values. Analytic philosophers maintain that "ought" statements cannot be derived from "is" statements in terms of what should and should not be judged ethical or moral concerning human behavior. However, the human being derives all its values from reflecting on experience within the natural world. It is this dialectic between critical thought and evolving nature which allows the human being to decide what is right or wrong (good or bad) for the adaptation, survival and fulfillment of our own species on this planet. Likewise, it is only common sense that tells us that nature and life and human existence are valuable. Consequently, we have the emergence of philosophical humanism out of scientific naturalism, i.e., a concern for our own species in terms of science and reason free from blind

faith, dogmatic belief, religious superstition and a myopic theology.

However, there are two forms of humanism: religious humanism as represented by the geopaleontologist and Jesuit priest Pierre Teilhard de Chardin (1881-1955), and secular humanism as represented by the biologist and naturalist Sir Julian Huxley (1887-1975).

Teilhard's religious humanism gave preference to theology over science, although he did value both love and research. He was deeply concerned about the survival of our species on this planet and the fulfillment of humankind through evolution. Unfortunately, his interpretation of evolution is essentially a form of process panentheism which is ultimately grounded in a mystical vision of the spiritual unity of our collective species with a personal God at the Omega Point (the end of human evolution on the earth).

Although he admired Teilhard's evolutionism, Sir Julian Huxley could not follow the Jesuit priest to his mystical conclusion about human evolution. Instead, Huxley remained a

secular humanist devoted to the improvement of our species strictly through science and reason without traditional theology or obscurant mysticism. Among others, it is primarily Huxley who paved the way for evolutionary humanism as well as "religion without revelation" (as he put it).

For the rigorous evolutionist, there can be no eternally fixed ethical principle or moral standard or value judgment for the human animal. Anthropologists are aware of the incredible diversity of behavior patterns among human groups, especially concerning magico-religious beliefs and culturally acceptable norms of social conduct. One crucial aspect that does distinguish our species (the bipedal ape or third chimpanzee) from the other pongids is that a reflecting person is an evaluating animal. Human beings do make value judgments from a seemingly endless spectrum of possible choices. And these values change in light of socio-cultural evolution, particularly in terms of advances in the sciences and widening human experiences as well as free, open, critical and responsible inquiry. Furthermore, besides evidence and experience, wise decisions must

consider the consequences of human behavior for increasing freedom, happiness and longevity.

Influenced by the history of science and philosophy, the modern thinker may look at values in terms of evolutionary materialism and secular humanism. Our species is a product of, dependent upon, and totally within organic evolution. Even mental activity is dependent upon the material brain. There is no need to resort to theological beliefs in order to account for self-consciousness and rational reflection. Furthermore, the emergence of the human animal must be viewed within the larger context of cosmic history and an open framework concerning the probabilities for the further development of our species. Evolutionary humanism takes into consideration not only science and reason but also the value of other species, the changing environment, human society and each individual, as well as the value of diversity within unity. Both compassion and creativity play an important role in the fulfillment of each human being as he or she strives to satisfy his or her needs and desires through responsible thought and action.

From a practical viewpoint, the evolutionary humanist values nature itself as the necessary foundation for life as we know it. Furthermore, life is valuable because human existence as we know it cannot survive without other plant and animal species. And finally, human existence itself is valuable because we value existence rather than nonexistence. In this three-staged pyramid of values, nature supports life while life supports human beings.

The ultimate goal of science is to describe the entire universe in terms of laws and Principles, while one important goal of philosophy is to understand and appreciate this universe in terms of human experience and fulfillment. Of course, there may always be problems and tragedies. But science and reason guide us through these problems and tragedies as our species continues to evolve, perhaps even into a superior form of intelligent life above and beyond our species as it exists today.

Although this material universe is indifferent to human beings, our species cannot be indifferent to dynamic reality. Whatever our

destiny, at least once this universe gave rise to a reflective being conscious of both its own existence and the very process that has brought it about. Invoking Aristotle and Nietzsche within a Darwinian framework, the general goal of our species is for it to evolve into all that it is capable of being. This evolution must be guided by enlightenment (science and reason) as well as a humanistic philosophy. And should our species become extinct, the human animal will have enjoyed its brief moment on the evolutionary stage of this cosmic theater.

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Can Religion and Human Rights Coexist?

Oliver Leaman (UK)

There is an Enlightenment view which establishes a sharp distinction between human rights and religion. The Enlightenment saw itself as representing a new direction in thought, forging new ideas and relationships, and religion was definitely seen as the enemy.(1) Religion stood for reaction and superstition, and if it was to survive within an Enlightenment environment it had to change into a rational system which is self-consciously in accordance with the principles of reason. This was nowhere as strongly felt as in moral and political philosophy, where the doctrine of natural rights, rights which we have by virtue of our humanity, rely on nothing more than that humanity. The idea of basing rights on religion is equivalent to basing reason on religion, or the principles of clear rational thought on superstitious tradition. The slogan "Dare to know" is clearly set up in

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(1) Although there was an attempt in the Enlightenment to create a form of rational religion, of course. I am grateful to Faryal Hasan for making this point at the Conference.

opposition to the ways in which religion throws doubt on the ability of human beings to know, and argues that we need to rely on tradition to inform us of what we can know by contrast with the efforts of our reason alone. Rights then exist without reason, even in opposition to religion, and there is no way on the Enlightenment view that religion can be used to support human rights. On the contrary, if anything is acceptable in religion, it must be because it does not interfere, with human rights, or accords with those rights. There is a right to hold religious beliefs, however misguided these are, but no need for religious sanction for such right. The direction of justification is definitely from the notion of rights to the notion of religion, and only an etiolated form of religion at that, a rational religion which serves to represent in transcendental lots the principles of reason themselves.

Yet there seems to be nothing on the surface incompatible between rights and religion. Why should a religion not embody rights for individuals and groups within its structure and teachings? Islam, for example, does give different religious groups, such as the

ahl al-kitab, specific rights, and many religions express their views in terms of political ideals. For example, many South American Catholics interpret Christianity as a revolutionary doctrine on the side of the poor, and several important Anglican clerics have similar, although perhaps less radical, views. Religious believers have often been in the forefront of those defending the idea of rights, and they would regard those rights as stemming from the religion.

But it is in this question of the basis of the rights that the real problem lies. What do rights rest upon? For the liberal, rights are part of the basis of what it is to be human, and need to be recognized at the same time as the inalienable humanity of creatures is also recognized. Some would even extend those rights to non-humans, in particular animals, or even parts of the living and non-living environment. The idea is that the individual as an individual has a set of rights which exist as a result of her individuality, and the leading issue of politics and morality is how to reconcile her rights the rights of others, since clearly in a world in which everyone ha rights there is going to be potential conflict between different people

all trying to assert their rights to act freely in defence of their own beliefs, wants and needs.

Liberal thinkers thus spend a lot of time discussing how to reconcile the rights of some with the rights of others in a way which is mutually acceptable, or at least not morally objectionable. Whether they can bring off this reconciliation satisfactorily is not at issue here, but we need to examine the alternative to liberalism, what might be called communitarianism. This sees rights as not being embodied in individuals, but in institutions or communities, since individuality is too weak and narrow a notion to serve as a basis of rights. The communitarian objects to the idea of the individual as the basis of ethics, and the nature of morality as stemming from the potential conflict between rational egoists, since this is an entirely inappropriate foundation for ethics. Individuals do not just happen to come together and form institutions, but it is their coming together and forming institutions which is the basis of morality itself. The liberal notion of the individual subject as initially independent of society is incapable of providing an explanation for the growth of social phenomena such as a

shared moral consciousness and common ethical reactions. This is not just a comment on causality, since no one really thinks that historically the individual of liberalism functioned independently of everyone else and then got together with others to carry out certain common purposes. The point is that the idea of the individual as existing even theoretically without any social characteristics, but only with a basic notion of individuality, is not the idea of a perfectly free and rational individual, but rather the idea of an empty individual, an individual who is incapable of developing even theoretically in character and moral depth in the ways in which we do develop socially.

There is no doubt that these sorts of objections to liberalism are powerful, but they founder on the difficulty of explaining precisely what notion of community is the notion which has to lie at the foundation of morality. Is there a notion of community which is generally acceptable and which cannot be challenged by any alternative conception of morality? If so, then the liberal cannot get his argument started. There does not seem to be. It is always possible for the individual like Diogenes the Cynic to

perform unusual and strange practices in pursuit of what he says is how we ought to live, in an environment which is not mediated by a concept of community which he accepts, and for this to be a viable option. Can we rule out from the start such a lifestyle as possibly acceptable? According to liberalism we cannot rule it out, and Mill argued that we should see alternative lifestyles as like experiments, each of which is trying to determine what the best way of living might be. We cannot out an experiment just because we think it is not going to work. We can only rule it out if we think that it is obvious for some reason that it is not going to work, and the strength of liberalism is that we do not seem to be able to rule out a priori any lifestyle, however apparently disastrous or inviable it might seem to be.

This is where religion comes in. Religion fits in with communitarian accounts of morality, in the sense that it identifies morality with a particular set of beliefs and practices which are part of a community, perhaps a community which the religion itself has established. What counts as right within a religion is specified by the religion, and many theologians would argue

that there is no possibility of discovering what is right without first accepting the teachings of religion. Only God is able to establish the principles of morality, and unless we follow God's law, we shall not manage to adhere to those principles, however much we might try to. In any case, what counts as ethical behaviour is derivative on adherence to the religion, so the sorts of activities which liberals commend are only commendable if they are carried out within the context of the appropriate religion, here standing for the appropriate community.

Can we not work out what sorts of behaviour ought to be pursued by ourselves, using reason alone? Not according to the communitarian view of religion's role in morality. What makes morality morality is its accordance with faith, since only God is able to say what morality is. This is not to suggest that the only possible religious view is that what is good is good because God says it is good. It is perfectly possible to argue that what is good is good because it is good, and God confirms its goodness through his law. Even on this view, though, what counts as right might only make sense within some sort of community, and even

a religious community, since only such a community could educate us in moral behaviour.

This positioning of rights within the structure of a religious community is what makes the practice of such rights so fragile, of course. Since rights are secondary, secondary to the religion, it is easy to abandon them in what are taken to be the interests of the religion. In the words of John Gray, in his liberal phase, 'Do Muslims defend their traditions on the grounds of fairness and parity in a tolerant society? If so, we have to agree to them. But if they defend them because they are 'true', then we have to resist their claim and assert the fundamental values of liberalism. And if necessary we have to be authoritarian in doing so' (The Independent 4 March 1996). What is useful about the liberal notion of rights is that they commit the state to respect the space which surrounds us as primarily private space, not to be interfered with except for the purposes, generally, of preventing one set of rights interfering with the rights of others. Within the context of the religious state, by contrast, all crime becomes crime against God ('fasad', or corruption is the common name for anti-social behaviour in the Islamic Republic

of Iran) and so it is easy for the state to disregard what might otherwise be regarded as the inalienable rights of individuals. That is, if the private space of the individual is only accepted as private within the context of the religious community in which the individual lives, then it is not really private at all, and may be invaded at any time if the interests of the community, or the religion, require such intervention.

Religion manages to do this by its function of reducing what might be regarded as the polarities of our normal lives. Our lives are characterized by a number of important polarities, which define the sort of people we are. These include:

private	public
self	others
internal	external
individual	communal
particular	general
personal	universal
philosophy	religion
rational	emotional
culture	nature
nomos	shari'a

awe	prayer
intellectual	practical
scarcity	plenty
wisdom	virtue
rationality	religion

According to liberalism, the concepts on the right are secondary to those on the left, and vice versa for the communitarian. If we identity religion with communitarianism, as we should, then it looks though religions will always interpret rights as secondary to the truths of the religion, as deriving their force from the religion. After all, within the context of religion everything derives its significance from tile religion, from the fact that we live in a world created by God, and there can be no notion of rights which is independent or our relationship with God, the most important relationship in our lives.

At this stage the normal move would be to present arguments for thinking that the liberal conception of rights is preferable to the communitarian view, or the reverse, and it is easy to see what sorts of arguments would be employed here. The liberal would argue, entirely

plausibly, that the main problem with basing rights on some common set of beliefs and values is that there is no common set of beliefs and values which cannot itself be questioned, and so it is difficult to see how that set of propositions can be called common. The communitarian often argues that the liberal conception of the individual is far too impoverished to make sense of decision-making, and that the notion of coming to the construction of values out of an initial absence of values is futile. Rather than rehearse the familiar arguments yet again, there might be scope to use the notion of religion to investigate whether there might be ways of bridging what seems to be a wide chasm between these standard philosophical positions.

What we could use here is an important principle established by **Ibn Rushd** (*Averroes*), the principle that it is possible to come to the same truth in a variety of different ways. **Ibn Rushd** argued that religion and philosophy, by which he meant a rational way of establishing truth which is not based on revelation, are two paths to the same destination. They are two different ways of doing the same thing, as it were, and the differences are important in that

they are appropriate to different kinds of people. For those who are capable of reasoning theoretically, philosophy is an appropriate way of seeking to establish the truth. For those who are less gifted theoretically, or perhaps not interested in working in that way, religion is the right method to follow. This is not to disparage religion, but to point out that (in **Ibn Rushd**'s view) religion is available to everyone, while philosophy is only available to a minority.

We tend to identify this sort of argument with **Ibn Rushd**, but in a different form it was also used by his philosophical opponent, **Ibn al-Arabi**. The latter argued that we tend to think of the notion of '*tawhid*' in ways which do not really make it impinge on our own lives. But if the notion of '*tawhid*' is taken seriously, it implies that we do not really exist apart from God, that there is not really any of us at all, there is just God. When we look around the world we see what we take to be different and discrete things, but really there is nothing except God, on the notion of '*tawhid*', and **Ibn al-Arabi** goes into great detail on how we might acquire the ability to see both ourselves and the rest of the world (as we say) as part of God. So we can see

the world both as it normally appears, and as an aspect of God. Both ways of seeing the world are correct, in the sense that there is truth in both these positions. Although in reality there only exists one thing, God, it is not the case that we are mistaken in experiencing the world as existing separately from God, or in a differentiated way. We can experience the world in this way, God has made this possible, and we do get it wrong if we think of ourselves as separate from God, since to a degree we are separate from God. We are separate in the sense that we can regard ourselves as separate, and indeed it is difficult for us to regard ourselves as really part of the deity. Here again we have the idea of there being different routes to the same truth. What the ordinary person believes in his unreflective way is not wrong, but it is not a complete description of the truth either. It embodies the complete truth in a way which makes it possible for him to live his ordinary life, but the philosopher and the mystic know of another way of attaining the truth which is more remote from our notion of the ordinary life. As a result of that gap it raised the important political question which we shall not be addressing here, as to whether the philosophers and mystics were

capable of living an ordinary life, whether, that is, they could be acceptable members of the *umma*. What is important here is the idea that there are different ways of doing the same thing, and different paths to the same destination, an idea which has been refined over a long period in Islamic philosophy.

We tend to think of religions as fairly rigid structured consisting of fixed doctrine and accompanying practices, and we tend, mistakenly in my view, to use language like the "Christian approach to x" and "the Islamic approach to y". But religions are in every sense loose and flexible institutions, and the doctrines which go along with them share in that looseness and flexibility. Like everything else, religions which do not adapt and change, do not survive. Religions are about everything, yet to be a believer does not mean that one shares with the religion all its beliefs nor that one uses the religion to structure the whole of one's view of reality. On the contrary, it is up to the participants in religion to define for themselves how far they are going to go in following religion. There are perhaps principles which have to be accepted before we can accept that

someone is actually a believer in a particular religion, but we should stress the "perhaps" here. So we should not think that when we embody rights within a religion we are necessarily fixing them within a straitjacket which is going to control their role strictly. On the other hand, the important feature of such rights is that their ultimate justification is in terms of something other than either themselves or the individuals who claim them, but in the religion. Yet what the religion provides is a way of looking at the world, a way in which rights feature as topics. Rights delimit comparative relationships within a view of the world in which God has indicated that human beings ought to relate to each other in particular ways. The religious view of the world provides a context within which such a repertoire of rights makes sense. Religion provides the account of the basis of the rights which helps us understand how those rights link up with the rights and duties of others, and where those rights acquire their ultimate justification. They make the rights language comprehensible, in the sense that they provide flat language with its context. To take an entirely different sort of example, what makes a particular piece of human behaviour

comprehensible is the way in which it fits in with a wider context. If an apparently healthy and wealthy individual kills herself, we need to provide such surprising behaviour with a context if we are going to be able to understand it. And we can usually provide such a context, since we are not usually prepared to accept that behaviour as inexplicable. If it really is inexplicable, then we suggest that the agent was not really in control of herself when she acted, but had to do what she did, since there could have been no reason for it.

From a religious point of view, what gives rights their meaning is their role in how God wishes us to live. In the language of the communitarian, rights are thus provided with a context within which they make sense. Although as we know only too well, it is easy in practice for a state which uses religion or the language of religion as its state ideology to abandon rights for religious reasons when it is useful to do so, there is nothing specifically religious about this policy. A liberal state which upholds the sanctity of individual rights may also come to abandon some in order to increase others, and one could hardly use such examples to challenge the idea

of liberal rights themselves. One of the leading problems of liberalism is that when rights come into conflict there is no obvious way of reconciling them. According to the third paragraph of article 18 of the UN Covenant:

> Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals of the fundamental rights and freedoms of others.

So human rights may be in conflict with each other (acknowledged again in article 29 of the UN Universal Declaration of Human Rights). This suggests that the liberal account of the justification of rights is no more insulated against the danger of being co-opted by some larger cause than is the case with rights in religion.

But how are we to understand rights where the individual right-holder does not accept the view of religion with respect to his rights? This may be because he does not accept

the religion and its, revelation (if there is one), or because he does not think that his rights are based on the religion. He just believes that he has an inalienable right to do something, a right which requires no further justification than the fact of his humanity. Perhaps it would not matter, since it might be argued that he does not understand the real basis of his rights, but they are his rights nonetheless. We need to bring in here **Ibn Rushd**'s argument that it is possible to get to the same truth In different ways. The believer thinks that the basis of his rights lies in God, and the non-believer thinks it lies in his individuality. They both believe something which is true, that the individual has rights, but they explain these rights in different ways.

Surely this is not correct, though. what these two theories deal with accounts of which theory of rights is true. They cannot both be true (although they could both be false), and they are each suggesting that they represent the true position on the nature of rights. How can they be different routes to the same truth? Well, exactly the same problem arises when we consider the contrast between philosophy and religion, or between mysticism and commonsense. These

are also different ways of representing what is true, and they argue for their own view as the true view, not as one view among many of the true view. But according to **Ibn Rushd** they are wrong to do so, since they are compatible with each other. What we need to ask is whether liberalism and communitarianism are similarly compatible. There are good arguments for thinking that they are. They both stress different things. Liberal theory stresses the fact that it is an individual who ultimately is the right holder. Communitarian theory stresses the fact that rights exist within some institutional framework. They are clearly compatible, so long as they do not incorporate claims to represent the whole basis of rights separately. This is entirely similar to the link between religion and philosophy on the account provided by **Ibn Rushd**. Religion and philosophy stress different aspects of the truth. Religion concentrates on presenting the truth in a way accessible to everyone, while philosophy restricts it to those few who can grasp it. But do not both religion and philosophy claim the right to describe exclusively the nature of reality? Sometimes they do, but if they do, they are mistaken, since

it is feasible to represent them as being compatible.

The problem which appears to be created by contrasting rights and religion is a problem which arises when we take too seriously the polarities which dominate much philosophy and political theory. It is surely the point of religion to reject such polarities, to present a view of humanity which reconciles these apparent contradictions in our lives. If the message of religion is accepted, then one knows how to reconcile the contradictions, since body and soul, the public and private, the personal and the political, and so on all become united in one view of the nature of reality. The communitarian view also has the advantage that it points to someone who has duties in response to our rights. It is often argued that rights and duties are correlative, and yet if we have positive rights it is difficult to see who has the duty to satisfy them. For example, if there is a positive right to match desert with reward, then someone has to provide the appropriate reward. According to Kant, it is because of problems like this that it is only rational for us to seek to act morally if we presuppose the idea of divine

justice (eventually) characterizing our lives. On a communitarian approach, God can represent the duties correlative with the rights, and in the next world he can compensate us for our undeserved sufferings in this world. The liberal view tends to become quite conservative, since it is often difficult to specify whose duties match positive rights to things like education, sustenance and so on. Religion can represent these duties as at least in principle in existence somewhere, even if not in this world.

Is there really no separate notion of rights in religion? There often seems to be no concept of negative liberty in religion. Negative liberty is the notion of being free from interference, and is the standard concept of freedom in liberalism. Positive liberty, by contrast, is the freedom to do something, in particular to realise oneself, to act in accordance with the ways in which we ought to act. Positive liberty sees human beings as being defined in a particular way, and their freedom to act is then describable in terms of that definition. From the point of view of religion, of course, how we are defined is expressed in the religion, and so it might be regarded as unimportant at best if there was no

against everything his life has been about up to that point.

Here we have to consider what is involved in being in a religion, or accepting a religion. Does this necessarily involve accepting or committing oneself to accept a specific set of rules and facts? It might, but even if it does one would probably have to accept that what one calls a religion, and the lifestyle attached to it, is relatively loose and subject to alteration. Even the leading principles of a particular faith are interpretable in a wide variety of ways. So even if the notion of rights is embodied in religion, there is no reason to think that that notion is thereby unduly constrained in its scope and effectiveness.

But does that not mean that the religion really has no control over the notion of rights which might go with it? This may succeed in rescuing the notion of rights, but at the cost of emasculating religion. It looks as though religion will be made to fit in with whatever notion of rights one might otherwise support. But surely this is what in fact happens. That is, someone who is committed to the equality of

men and women will interpret religious texts in such a way as to establish support for such equality, however unlikely the text is to support such a position, and even if there are religious texts which seem to rule out such equality explicitly supplementary arguments or principles, or even '*ahadith*', will be constructed and applied to defend the right. Some believers will disapprove of this strategy, arguing that this is to stretch the text too far, and then there can be a debate about what might be regarded as part of the faith and what may not. The way we should regard religion here is as the language in which the debate takes place, in the sense that it represents the application of concepts surrounding the debate. The debate only makes sense if we use the right language, but language does not constrain the debate. On the contrary, language makes the debate itself possible.

It might be argued that basing rights on religion is inevitably to make rights secondary to something else, and hence ultimately vulnerable to the ways of interpreting that something else. It has been argued that this is not necessarily going to he damaging to rights and their holders, although it must be admitted that basing rights

on religion historically tends to lead to their implementation becoming weakened. Yet it is also the case that basing rights on nothing more than individuality has also resulted, on occasion, to their being disregarded, since one then has to balance different rights when they come into conflict, and there are no general principles which tell one how to get the balance right apart from the bare notion of individuality. This notion is not sufficiently rich, many would argue, to help determine the resolution of such conflicts and so it is not difficult to argue for the restriction of some rights on the basis of the protection or the development of others. The liberal is then in no better position to defend rights as compared with the communitarian.

The standard criticism which the liberal brings against the communitarian is that the latter is an inherently conservative position. The communitarian is obliged to argue, the suggestion is, that the community is the basis of rights, and so the values of the community itself cannot be criticized in terms of the rights language which it itself establishes. The problem with this, of course, is that it preserves the values of the community itself from that

language, but it is surely always open to us to criticize those values, since we can always ask whether what is what is taken to be the basis of our rights is itself morally acceptable. The outstanding problem which naturalism in ethics has to overcome is that there appears to be no natural definition of what a human being is which will satisfy everyone, or at least no definition which really is a definition. It is always open to others to what we might think the purpose of human life is. No doubt some of these challenges are rather strange, in that it might he thought that given our biological structure there are some answers to how we ought to live, yet there is no determinate and complete set of answers to that question which would have to satisfy everyone. The communitarian, in insisting on a particular concept of the community as basic to ethics, suggests that such a concept is so basic that it cannot itself be challenged. And that is very much the difficulty which the religious form of communitarianism appears to get itself into, in arguing that rights are embodied in the religion it suggests that the religion itself is beyond challenge.

But as we know religions are not above challenge. If it is possible not to accept the message of a particular religion, then does that mean that the rights which that religion seeks to establish are not accessible to the non-believer? This does not follow. It is perfectly feasible to accept the right and yet go wrong in what its basis is. One might think that the right is merely based on our humanity, and that would be erroneous, according to the communitarian, but not seriously erroneous, since the right holder would use it within the context which gives the right its meaning, but without noticing that context. The right holder would correctly identify the right, but not what its application presupposes, so he would have grasped the truth that there is a right, but not the way to establish it. To give an example from a different area of knowledge, some people can solve quickly mathematical problems, yet not say how the solution works. Would we have to deny that they knew the answer, say, to 1256 x 4329? Clearly the person who knows the explanation for why the mathematics works knows more than the other person who does not have this explanation, but they both know the same thing.

Here we have the case yet again of there being two different routes to the same truth.

However, it will be said, this is not a plausible example, since in the case of mathematics there is complete certainty, while in ethics there is debate and disagreement. We cannot challenge mathematics in the same way that we can challenge religion. But what does it mean to challenge religion? It might mean to challenge the facts or alleged facts of revelation, the prophecy of particular individuals, and so on. But how important are these to religion? They are very important for many believers, yet for others they are not important, they are just vivid and imaginative accounts that are designed to bring out to the widest possible constituency how they ought to live and behave. The stories themselves are not important, what is important is what they imply. If people find it easier to work out how to behave through thinking of a religion being literally true, then there is no reason why they should not think in that way and if some people find it easier to work out how to behave through thinking of a religion as not being literally true, then there is no problem in their thinking in that way either. It is not the

truth of the stories which are associated with religion which gives the religion its force, but its ability to connect up with their lives and plans, to help us relate to the meaning of the world.

We might even see the view that liberals have of rights as the possessions of autonomous and independent individuals as similar so the stories which make up religion. That is, the notion of the individual which liberalism holds dear as primarily existing outside of a social framework or community can be seen as a largely romantic concept. The whole idea of the pre-social being is after all generally not supposed to represent an actual state of affairs, but rather a theoretical starting point which allows us to place rights on a rational ethical foundation. Critics of this starting position claim that the individual who is thus placed within a pure context of choice exists in such rarefied conditions that there is nothing relevant which can be derived from such an hypothesis even from such a theoretical hypothesis. But the idea of the entirely free individual taking upon himself various obligations and establishing links with other individuals is a valuable idea. It shows how even if we start with entirely egoistic

motives we might end up wishing to restrain our egoism to take account of the interests of others. This notion of the individual is regarded by Hegel as tragic, since that individual realises that one right comes up against another right, he appreciates for the first time that the world is a place in which there are a multiplicity of obligations which require mediation, rather than a natural realm in which we feel entirely at home in our environment.

The argument here has not been that it is wrong to base our behaviour on an account of human rights, nor that there is anything wrong on basing our behaviour on religion. These are both acceptable conceptual environments within which human morality may flourish. Let us return to the idea that there can be two different ways of reaching the same truth. The truth in question here is how we ought to behave. We can tell two sorts of stories about this truth. According to one, what makes morality possible is the fact that we each possess rights on the basis of our individuality, on the basis of our common membership of humanity. According to the other story, we are in a world which is created by a deity who means us to live in a

certain way, and as a result we should realize our essence by following divine law. These stories are different stories, but they are not compatible. They both have a happy ending, they both explain how it is possible for us to live morally. Liberalism answers the question *why* they have such rights. The liberal might try to counter the approach of the religious arguments for rights by claiming that the latter restrict our autonomy, as though the association of rights with anything apart from themselves might result magically in their losing their power. The religious account of morality rejects the independence of rights for similar motives, as though if there existed an independent source of value then the fore of the religion is restricted. We should bring these views closer together and then we can see what the share, as compared to concentrating on what they exclude. Rights can co-exist with religion, and religion can coexist with rights

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Tolerance in African Spirituality

Joe Teffo (South Africa)

As the world drifts towards the next millennium, people and cultures of the world are drawn together. The global village, as the metaphor goes, is seeking to redefine itself as cultures transform and realign. It is in this context that we shall pay specific focus to the encounter between faiths and religions in Africa. Increasingly the discourse around the encounter between the world religions is becoming significant. Within this context and discourse we would like to discern the role indigenous religions are playing, and in which way and to what extent they can contribute to a better understanding between denominations and religions in Africa, and in the entire family of man. We would like to explore the possibility of disseminating the African ecumenical spirit to other continents.

The ecumenical spirit, characteristic of the indigenous religions, is the by-product of the spirit of humanness that undergirds the African philosophy of life. It is this philosophy of Botho/Ubuntu that should be taught and

inculcated in the hearts and minds of all human beings so that we can ultimately embrace each other as members of one and the only human race. Our diverse cultures notwithstanding, the human race in the universal order of things, is the one that can save itself from itself by laying the foundation and the parameters for harmonious co-existence of cultures. Men and women of the cloth should be the torchbearers in the attempt to fashion a society based on religious principles. For religion is a universal cultural trait applicable to the entire human race. What is different is the modus operandi.

The notion of the religious other as an embodiment of the norms and values that are cherished by all religionists should serve as a mirror in which we can see ourselves. The maxim by Immanuel Kant: "Act according to that maxim that you can will it to become a universal law. Whether in your own favour or that of another never treat the other a means but always as an end" tends to confirm the imperative of the universal brotherhood of man. This brotherhood is an ideal, and like all ideals it is worth striving for. To this end we shall

involve guidance from African especially its tolerant character or quality.

Features of African Spirituality

Faith and spirituality are not static; they have changed with time even though their real essence might have remained intact. This makes it difficult to talk of African indigenous/ traditional spirituality and to define it in conclusive terms.

If culture is considered as the collective memory of a specific group and its own heritage which through centuries have been transmitted from generation to generation; spirituality is one of the main elements of this whole cultural corpus of each people. We can with Schneiders define spirituality in general as "the experience of consciously striving to integrate one's life in terms of self-transcendence toward the ultimate value one perceives" (1989: 31) (quoted by Kourie C.E.T).

This definition can also apply to African spirituality but we can also add to it that "African spirituality permeates all aspects and

levels of life, from the most mundane and ordinary to the most spiritual and mystical ... By and large Africans practise spirituality not for its own sake. The practice of spirituality among Africans is a means to an end, for the attainment of Kilokoto, well being. Through the practice they seek power and help, acknowledgement and direction, purity and transformation, among others" (Kudadjie, 1995: 78).

African spirituality is mainly handed over to the future generations through the oral System. This oral system seem sot be defective because of human beings' memory. However this oral system of transmission has also a great advantage, namely, the fact that it has helped African people to be anchored in their spirituality and live it fully. An African does not need to read a book referring to his faith to be able to practice his belief. He needs only to be born in a given society, be given a certain oral history and, practical initiation and lessons; and these are cherished and kept for posterity.

There are also common characteristics of African spirituality. Among others, is the fact that their ceremonies and rituals are attended in

the open and are open to all in the sense that there are no rigid requirements to be satisfied before admission into the specific faith. There is no obligation to have a building as the venue. Most of them usual]y conduct their ceremonies at a chosen venue recognised by all as holy. Selected shrines often have historical significance related either to the family or the tribe. Some of these shrines are born out of legends and fables. Hence the custom of families often identifying with certain animals or plants. The totem system is the example of this custom.

There is a total absence of religious personalities. We refer here to the worship of a certain personality recognised as holy, like it is the case in many other Western and Eastern religions. In most African spiritualities people worship and believe in a supreme being, who might be considered as the great spirit, self-existent, creator and ruler of all, eternal and merciful. He knows everything and is present everywhere. The concepts, omniscient, and omnipresent abound in African spiritualities. The link between the supreme being and people is done by priests, who in turn need also the help of their ancestors. Elders presiding in rituals,

rites, and ceremonies, at family or tribal level receive their education or information and the skills of the trade through many years of interaction with seers and sages in the community. Through participation in proceedings and ceremonies no formal education in the didactic sense is offered. Some officers are born to lead as a result of the primogeniture system. Others are given divine powers by the spirits and the ancestors. The last group is often selected on the basis of expertise only; heredity, affinity and consanguinity notwithstanding.

Religious Cross-Pollination

Colonialism brought to Africa a new way of life, new belief systems which were confronted with the existing ones. But even after colonialism Africans are still exposed to the changing world, and new conditions of life. All these factors influenced many patterns of African spiritual life. Hence our contention that indigenous religions are not static. They are adaptable to changing environments. As a result, over the years, indigenous religions underwent some metamorphosis. Certain rituals which were

not compatible with the contemporary lifestyle have been discarded. Even today it would be foolhardy not to concede that certain offensive and repugnant practices are still perpetuated to the delight of detractors and the opponents of indigenous religions. For example, conducting baptismals in dangerous, muddy, and health-risk rivers cannot be condoned, whatever the faith. Religious rites that are only performed in the dark and exclusively to the initiates tend to discredit indigenous religions and lend credibility to the claim that sorcery and witchcraft are some of the ingredients of the indigenous faith.

The time has come when there is a pressing need for the creation of council/body that will oversee the practice of indigenous religions. This council should seek to give guidance and leadership, without dictating or tempering with the substance and the modus operandi of these religions. It should not seek to institutionalise these religions, lest they loose some of their chief traits. However, such a council should be empowered to censor the practices and practitioners, especially the priests and the priestesses, so that they (religions) can

forever retain their integrity. Such a council, preferably, should not be statutory. It should be led by the enlightened disciples of these religions. Seemingly the Republic of Ghana, which is also offering courses on indigenous religions in tertiary institutions, has recognised this need, and is tackling it successfully. This augurs well for the African spiritual renaissance. What is needed as a matter of urgency are many more similar initiatives that would help redefine the African Person, his identity, history, and above all, empower him.

When African spiritualities came into contact with foreign religions, they lost many of their members to the advantage of foreign religions Many Africans were forced to join foreign religions as a condition for their studies or participation in any activity linked with colonialism. Indeed there were material benefits for those Africans who were prepared to culturally denude themselves in favour of alien cultures. In some instances where Africans could not submit, they were subjugated. Some of the worst wars in this world, by the way, were religious wars. To date, fundamentalists are trying to subject the world to their view of

morality. Fundamentalists are intolerant to opposing views and are prepared to use, if need be, violence or force to get their views heard and adopted as official policy. Where they don't opt for the latter, they tend to secede and form their own sects, their orthodoxy tend compel them to purse forlorn spiritual ideals. Hence the proliferation of new religious formations the world over. In process the weak and gullible are often exploited. Hence mass religious suicides in recent years.

Colonialism under the guise of religion and in the name of God, destroyed the whole African spiritual heritage; and most importantly, its moral fabric. Foreign religious beliefs brought by colonialism considered African spiritualities as barbaric. Ipso facto they were forced to disappear, either by consent or coercion. Belonging to any of the African spiritualities was considered barbaric and as an expression of still being at the stage of animality. This is due to the fact that African spirituality and belief were not considered as helpful to any reasonable human development or advancement. After all t was not prophesised or proceeded by either the prophets or the Bible.

Pobee actually details the demise of African Religion under Christianity where he mentions that Missionaries intended to destroy completely any vestiges of religion and culture of Africans and to build Christianity on the ruins of African culture and Religion.

Towards an African Theology

This attitude which basically undermined African belief, led also to the destruction of the African culture. From the colonial period, African cultures along with African spiritualities were considered as not helpful to the human race. Africans were then forced to reject their own culture and faith to embrace the alien ones. This was seldom voluntary. In fact, as alluded to earlier, overt and coven means were used to convert Africans. In this connection Christianity and Islam competed ferociously.

Colonisers intentionally destroyed the life patterns of the colonised, their system of community and self-government (communescracy), seriously undermined African ancestral beliefs. Africans were told that colonisers wanted to uplift them from a state of

barbarism. To stop this barbarism, African customs (beliefs) and languages were discouraged and banned in all existing missionary schools. "in Portuguese a colonised African could be considered civilised only if he could speak Portuguese, had divested himself of the tribal customs" (Khapoya, 1994: 125). The colonisers' way of life was imposed not only on Africans who lived with them but on everyone. Clans and tribes were regrouped according to missions where they could learn their new way of life. The division of Africa in states regardless of cultural groups put the last stamp on the destruction of the so-called African culture and spirituality. People were forced to live a certain way of life they did not choose. This brought a lot of frustration and precipitated the disintegration of the clan system. The geographic partitions further served to sew the seeds for ethnic conflicts. The effect of this arbitrary demarcation are still severely felt, for example in the two Congos, or the Great Lakes Region in particular.

The picture emerging from above misled Africans, to the extent that they put little resistance in the course of loosing their identity.

In each and every African exist then two opposing personalities. Tutu identified a dilemma that most Africans are facing. He writes that "Africans belong to two worlds, one Christian and another African. As a, Christian albeit a nominal one, he/she is able to live according to the Word of God. But as an African he/she is able to continue to live like an African, using ancestors and consulting medicine men or cultural doctors. This double kind of existence translates into religious Schizophrenia" (Tutu, *Hope and Suffering*). This split-personality comprises one with African values and the other one with European values. Accordingly, they tend to regard themselves as different in terms of civilization and development The question that is never asked in the process is in relation to the role of their own culture in shaping their lives and their own destiny. In our view, this might be the starting point of the failure for most Africans to be really and truly themselves. The intentional destruction of African culture and values by colonialism might be at the centre of this continual dependency of Africans, the lack of confidence in themselves and their heritage. The extent of self-hate and alienation is still being perpetuated today under the cloak of embracing

a global culture in the quest for creating a global Village. Who is dictating the terms for such a village and culture? Is your own culture also contributing? Are you witnessing history being made on your behalf? Are you the maker of history, or are you sleeping through the revolution? No easy question, for Africans to answer in this era and age.

For Ghazan, "the collective memory of colonialism was one of humiliation: political, cultural, moral, economic, social and physical" (1992: 29). In the face of westerness, the African heritage becomes ridiculous and is suppressed purposely. Westerners through religion and other practices gave new names to Africans, considering their former ones as barbaric and savage. Although not all Westerners did give blacks white man's names. There is evidence to suggest mat some missionaries refused to baptize people if such people had white man's names. Rev. Beuster of the Lutheran church in Venda is one of those people who preferred the so-called old heathen names. His colleagues wanted him to be deported to Germany. His mortal sin stemmed from his attempt to recognize an African as a human person like

himself. Africans had to be identified with their new names which they did not know neither the meaning nor the origin. By the way, all these were done in the name of developing the African savage to the level where he would be recognised and embraced as a complete human person in terms of the white man's yardstick.

Religious Tolerance

The policy of colonialism brought to Africa many other types of spiritualities. The difference between these spiritualities and the African one, to my knowledge, is the spirit of tolerance on the part of the African spiritualities. This is justified by the fact that many Africans along with their traditional beliefs accepted other spiritualities; others embraced them to the extent of rejecting their own traditional beliefs. Many of these foreign spiritualities were even allowed to settle permanently on the African soil. This shows clearly a certain spirit of religious tolerance. Indigenous religions are neither expansionist/imperialist, nor do they aspire to convert the whole world to one religion. They do not aspire for religious

hegemony, nor do they seek to speak for all religions and traditions.

To our knowledge there is no recorded case of religious war in Africa among traditional African spiritualities. But instead there is evidence to suggest that other religions, namely Islam, sought to undermine African spiritualities. Around the 10th century, the fanatical Almoravids grounded Ghana to dust and this alone marked the beginning of the end for African religions. Islam in turn also became a tolerant religion in the sense that it did not interfere with the ancestral cults. However this does not exonerate it from blame since at times it sought to convert the whole humanity to itself. Islam recognized the existence of a myriad of divine beings while holding on to the supremacy of Allah. As long as Allah is on top and the sole arbiter, other elements which emerge could be assimilated. This factor alone made Islam to be one of the greatest religions to have emerged (J.S. Triningham *The Influence of Islam upon Africa*). Furthermore, Islam did not condemn polygamy although the number of wives that could be married had to be limited to four. Christianity with its iconoclastic attitude not

only outlawed ancestral veneration, it also castigated polygamy.

On the contrary, some foreign spiritualities try by all means to improve their faith on everyone. This is clearly manifested by the 'religious wars' we had in the past for many years. Religious wars in Europe had the aim to convert others into their own religion and also to protect their faith from being destroyed or adulterated by the 'pagans' who were believed to belong to the other religion. We can refer to the wars in the middle ages between the Islamic and Roman empire which claimed many lives. The same happened between the Roman empire and the Protestant reformation. These wars were due to the lack of a certain spirit of tolerance. None of these spiritualities could accommodate the other(s). Ecumenism, I submit, is one of the hallmarks of African spirituality.

Another aspect which manifest the spirit of tolerance is the way in which they usually get their new members, all members of the African spiritualities join freely without any coercion. Often members are born within a religion rather than to be convened to it. The notion here should

be that once a person is a member of the African race, he/she already partakes in the culture and the religion of Africans. White brings out very clearly the idea that from childhood, maybe even before childhood, a person finds himself/herself immersed in a religions setting as there are at birth, initiation and wedding ceremonies. marriage and even death rituals. There is no 'propaganda' on behalf of the group with the aim of recruiting more members. This goes with the fact that African spiritualities in general do not restrict their members to join any other form of spirituality. On the contrary, all foreign spiritualities do not allow their members to participate in any other belief than their own. It is an either-or situation, with no golden mean.

If this spirit of tolerance on the part of the African traditional belief can be followed by other spiritualities then, it might help the usual hostilities between different beliefs and bring about a real spirit of 'Ecumenism' and 'togetherness' among people, religions. and cultures. Cultural chauvinism is often informed by the fervent desire to have one's own view as infallible and worthy of mutation by the whole world. Despots and tyrants are born and/or

thrive under such circumstances. The holier than thou syndrome is symptomatic of this malady.

Education for Nation Building

I also conjecture that since the various versions of Western education embraced by Africans have proven not to be of such profit that the advocates have anticipated, it is timely to understand the dynamics at play and prescribe better ways of dealing with the impasse created by the failure of Western education in these societies. As a consequence, I suggest that there are certain factors that must be put in proper perspective. These include:

(a) Western education is not restricted to the classroom as we in -Africa and diaspora tend to wrongly believe. Some knowledgeable Westerners are ready to admit.

(b) Because of this fact most educationists have failed to recognize from the above that there has been a problematic of integrating Western and indigenous educational systems. The consequence

has been to create an unequal contest between the informal aspects of Western education and the formal and informal aspects of indigenous education.

(c) The initial suspicion of foreign educational system led to the education in Western schools of people believed either to be of poor physical, mental and hereditary background, as the people originally sent to the "white man's" school were lazy children, children of hated spouses, recalcitrant children, etc., while children that were promising future were retained in the family trade or profession to continue the family tradition.

(d) Finally, the failure of integration has led to a leadership cleavage between the traditional leadership and contemporary trainees of Western educational systems. This has resulted in the breakdown of the necessary continuity link between the traditional or indigenous leadership and contemporary emergent leadership.

I argue, in this discussion, that there is an urgent imperative to become cognizant of this dire situation, so that we can coherently articulate and canvass, as educators and leaders of thought and policy formulation in our various domains, a careful understanding of the role of education in society and the need to orchestrate a meaningful, pragmatic and consistent integration of the best of Western and indigenous educational theories and practice.

Let me crave your indulgence to suggest to you that it is not only in Africa and her diaspora that Western education has failed. It has woefully failed in the West. But the reasons for the failure and the type of failure are dissimilar. In America, for example, what has caused the failure of Western education is the attempt by Americans to attain an inhuman utopia - a society where possible people appropriate liberties but fail to be alive to the responsibilities that attend such liberties. While in Africa, the failure of Western education is a consequence of a cognitive dearth - a lack of understanding of the complexity of Western education leading to the belief that attainment of formal Western educational levels is equivalent to being

educated in the real cultural sense. This has led to the leadership in Africa and her diaspora selectively embracing the conventions and norms of behaviour of the West wherever these are convenient. Hence, what would be regarded as scandalous in traditional societies in Africa and contemporary European and American and Japanese societies such as bribery, corruption, graft, theft in high places of the highway type or of the pen type are now regarded as normal. And matters are not helped much by religion as the Western religion of Christianity conceives of the Supreme Being as a long suffering God, slow to anger and quick to forgive.

African Spiritual Renaissance

The period of colonialism made it very difficult for African spiritualities to follow their normal trend and develop freely. Because "colonialism denies human rights to human beings whom it has subdued by violence, and kept them by force in a state of misery and ignorance that most would rightly call a subhuman condition." (Memmi, 1974: XX1X). During this era of colonialism, Africans were denied all rights and were considered as big

children who needed a training for a new life style. Africans were denied any reference to their own past. For the coloniser, the African's real life and history starts as from the time of his arrival. In South Africa, since 1652, the colonised then easily forgets about his past and even becomes ashamed of it.

To our view Africans lost their real identity, can it be cultural or spiritual at the dawn of colonialism. For a real spiritual renaissance to be possible, there must first of all be a real reconstruction of the African identity. The situation is even more complex in the case of South Africans, who after suffering the humiliation of colonialism were faced with another trauma with the policy of apartheid. In such a situation it is difficult for someone to recognise his own identity and accept to belong to it. The policy of apartheid considered other races different from European ones as being subhuman.

In South Africa. and indeed in Africa, there is certainly a dire need for spiritual, moral, and social revisitation and rebirth. This is urgently and passionately required. There has

been a real loss if not a gradual diminishing of our own (African) values and traditional practices. Religion is a clear case in point since the dawn of colonialism. Christianity coupled and preached with alien cultures bears testimony to the loss of the above mentioned values and meanings. Christianity has been preached and implanted with preconceived ideas and prejudices. One who accepted Christianity had to inherit first a foreign culture and then become a baptized Christian. One had first to be de-culturised, "dry-cleaned" so to speak, before admission to the alien culture.

The aforesaid notwithstanding, the missionaries are to be applauded for their contributions, but have become failures in the manner in which they brought the Christian message. Perhaps there was nothing wrong with the message, save the conveyor of it. To this extent, a lot has been written and published and I would not like to linger upon dark deeds of the past. Rather, one should, within the context of truth, reconciliation, and spiritual renaissance, try to chart the way forward. The following questions need to be restated and interrogated:

(i) Is a spiritual renaissance, borne from the religious experience of the human race, possible by the crucible of Africa?

(ii) Can we formulate new parameters and discover a spiritual energy to transform society as we move into the new century?

Like never before, the African continent is engaged in critical soul-searching and self-definition. It is seeking a new and relevant understanding of itself in this brave and new world. It is in the same spirit that I am questioning certain beliefs, dogmas and values within the African experience.

The prophetic dimension of religion, its healing power, and its ability to reconcile and unite communities should be embraced. We should be imbued with the infectious love for *pax mundus*. Archbishop Helder Camara captured my contention when he wrote: "And in that spirit I would like to think that all of us who are here and all of the religions that we represent

are not going to think of dialogue just in terms of confrontation of religions, but also and chiefly of working side by side, as one terrific army or phalanx confronting man's problems today and converging on the future of humanity "ahead" of us which we all want and the future "beyond" as true religionists. That is our perspective, that is our dimension, let us go to it with spirit and courage".

The valuation of what is truly one's own, the African Traditional or Indigenous Religions, need to imply the devaluation of the contributions of others - be they Christian. Muslim. Hindu, Buddhist or Jew. On the contrary, we need to expose ourselves to others so as to be enriched by their infinite variety. Ubuntu expects no less. To be a person through other persons means to acknowledge and appreciate the difference in their humanness. Ubuntu means allowing the other, including and especially the religious other, to be and to become. The Ubuntuist concedes that without the other, (s)he would not have been human. True Ubuntu belies the absolutism and hegemony of the colonialist era. It radically undermines the colonialist's efforts to fully

incorporate the other within him/herself. By the same token, it also revolts against the totalitarian communalism and collectivism of a derailed African culture. Africans who venerate tradition for fear of innovation and who ignore differences for the sake of an oppressive sameness, are not true to themselves. Yes, we are a "rainbow nation". But perhaps we should re-appreciate the differences between the colours of this rainbow. Not in order to exploit these differences for political gain like apartheid did. But to celebrate them! True Africanness resists colonization per se, whether by others or of others. Insisting on a re-appreciation of African Traditional Religions is therefore anything but a renewed effort to shun alternative religious preferences or to enforce a homogeneity or beliefs and practices. We agitate for the re-appraisal of traditional religions not in spite of variety, but for the sake of variety. We need to be all we can be - as South African and as Africans.

The continent should seek to redefine itself, and be loyal to its history. We are confronted with a potential cultural realignment of forces in the wake of the decline of ideology. For example, Russia which was once religiously

intolerant, is becoming less so. The same applies to the USA in respect of racial intolerance. So each one, each nation, if it is to have eternal peace, ought to listen to the imperatives of the day. One can never earn respect from others if (s)he defines him/herself in terms of a foreign culture. As we move into a new millennium, we need to promote the flourishing of traditional religions. We need to engage in rigorous scholarly exploration of these religions. We need to make a start now. To this end I would expect the South African government to reserve at least one holiday specifically for the recognition of African or indigenous religions. After all, we often recognise Christianity in this way. Or are some religions "more equal" than others?

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